

IN THE MATTER between **Northwest Territories Housing Corporation**, Applicant,
and **Camilla Sanguiez-Bonnetrouge**, Respondent;

AND IN THE MATTER of the **Residential Tenancies Act** R.S.N.W.T. 1988, Chapter
R-5 (the "Act");

AND IN THE MATTER of a Hearing before, **Adelle Guigon**, Deputy Rental Officer,
regarding a rental premises located within the **community of Jean Marie River in the
Northwest Territories.**

BETWEEN:

NORTHWEST TERRITORIES HOUSING CORPORATION

Applicant/Landlord

- and -

CAMILLA SANGUEZ-BONNETROUGE

Respondent/Tenant

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to section 41(4)(a) of the *Residential Tenancies Act*, the respondent must pay to the applicant rental arrears in the amount of \$2,747.27 (two thousand seven hundred forty-seven dollars twenty-seven cents).
2. Pursuant to sections 41(4)(a) and 83(2) of the *Residential Tenancies Act*, the tenancy agreement between the parties will terminate July 31, 2016, and the respondent must vacate the rental premises on or before that date, unless the rental arrears are paid in full.

DATED at the City of Yellowknife in the Northwest Territories this 14th day of March
2016.

Adelle Guigon
Deputy Rental Officer

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REASONS FOR DECISION

<u>Date of the Hearing:</u>	March 10, 2016
<u>Place of the Hearing:</u>	Yellowknife, Northwest Territories, by teleconference
<u>Appearances at Hearing:</u>	Kathy Konisenta, representing the applicant Camilla Sanguéz-Bonnetrouge, respondent Patrick Bonnetrouge, with the respondent
<u>Date of Decision:</u>	March 10, 2016

REASONS FOR DECISION

An application to a rental officer made by Fort Simpson Housing Authority on behalf of the Northwest Territories Housing Corporation as the applicant/landlord against Camilla Sanguiez-Bonnetrouge and Patrick Bonnetrouge as the respondents/tenants was filed by the Rental Office October 14, 2015. The application was made regarding a subsidized public housing residential tenancy agreement for a rental premises located in Jean Marie River, Northwest Territories. The applicant served a copy of the filed application on the respondents by registered mail signed for November 10, 2015.

The applicant alleged the respondents had accumulated rental arrears and sought an order for payment of the rental arrears and termination of the tenancy agreement. Evidence submitted is listed in Appendix A attached to this order.

A hearing was scheduled for March 10, 2016, by teleconference. Ms. Kathy Konisenta appeared representing the applicant. Mrs. Camilla Sanguiez-Bonnetrouge and Mr. Patrick Bonnetrouge appeared as respondents.

Tenancy agreement

The parties agreed and evidence was presented establishing a tenancy agreement between them for subsidized public housing in Jean Marie River, Northwest Territories. The tenancy commenced in 2009.

The application to a rental officer identified the tenant as both Camilla Sanguiez-Bonnetrouge and Patrick Bonnetrouge. However, the written tenancy agreements on the applicant's file refer only to Camilla Sanguiez- Bonnetrouge as a named tenant. The last written tenancy agreement Mrs. Sanguiez-Bonnetrouge remembers signing and the applicant has on file is the first one from 2009. Mr. Bonnetrouge does not recall signing any tenancy agreement, although he does recall signing an agreement to pay along with Mrs. Sanguiez-Bonnetrouge in July 2015. The parties acknowledged that Mr. Bonnetrouge moved in with Mrs. Sanguiez-Bonnetrouge after she moved into the rental premises and before they actually got married, and have since resided together continuously.

I am unable to establish Mr. Bonnetrouge as a joint tenant to this tenancy at this time. I am satisfied a valid tenancy agreement for subsidized public housing is in place between Northwest Territories Housing Corporation as the landlord and Camilla Sanguiez-Bonnetrouge as the sole tenant, in accordance with the *Residential Tenancies Act* (the Act). The style of cause on this matter will reflect the tenant as Camilla Sanguiez-Bonnetrouge alone going forward.

Rental arrears and termination of the tenancy agreement

The parties agreed and evidence was submitted establishing accumulated rental arrears in the amount of \$2,747.27 as of this hearing date. I am satisfied this is the case and find the tenant has accumulated rental arrears in the amount of \$2,747.27.

The respondents explained that they have been living on one income for some time and recently have faced being laid off. Additionally there were some issues with the respondents not being notified by their bank when bank transfers did not go through. Subsequent to that, efforts were made to send payments to the landlord through a relative which for the most part has been successful but has experienced the occasional mis-communication. The respondents inquired about making payments through online bill payments, similar to how they pay their other bills, and the applicant's representative indicated that option was being looked into to commence in the new fiscal year.

Mr. Bonnetrouge confirmed that he has just been laid off from one position, but expects to start a new job at one of the mines within the next two weeks. He further indicated he expects to be able to have the rental arrears paid up in full within three months and intends to establish a credit to the rent account, while continuing to pay the monthly rent, to act as a buffer in the event he is laid off again.

The landlord's representative acknowledged the respondents' situation and indicated that the landlord would be satisfied with an order terminating the tenancy agreement conditional on the payment of the rental arrears in full. The respondents were entirely agreeable with this request, confident they would be able to resolve their arrears and avoid termination of the tenancy agreement. I am satisfied termination of the tenancy agreement is justified under the circumstances, and that the termination being conditional on the payment of the rental arrears in full is appropriate.

Order

An order will issue requiring Mrs. Camilla Sanguez-Bonnetrouge to pay rental arrears in the amount of \$2,747.27 and terminating the tenancy agreement on July 31, 2016, unless the rental arrears are paid in full.

Adelle Guigon
Deputy Rental Officer

APPENDIX A

Exhibits

Exhibit 1: Applicant's correspondence to Camilla Sanguéz dated September 26, 2014

Exhibit 2: Lease balance statement printed September 22, 2015

Exhibit 3: Residential lease agreement commencing April 1, 2014

Exhibit 4: Lease balance statement printed January 7, 2016

Exhibit 5: Lease ledger printed March 10, 2016