

IN THE MATTER between **HAY RIVER HOUSING AUTHORITY**, Applicant, and  
**JAMIE HERON**, Respondent;

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

AND IN THE MATTER of a Hearing before, **HAL LOGSDON**, Rental Officer,  
regarding the rental premises at **HAY RIVER, NT**.

BETWEEN:

**HAY RIVER HOUSING AUTHORITY**

Applicant/Landlord

- and -

**JAMIE HERON**

Respondent/Tenant

**ORDER AND EVICTION ORDER**

IT IS HEREBY ORDERED:

1. Pursuant to section 41(4)(a) of the *Residential Tenancies Act*, the respondent shall pay the applicant rent arrears in the amount of five hundred eighty dollars (\$580.00).
2. Pursuant to sections 41(4)(c) & 83(2) of the *Residential Tenancies Act*, the tenancy agreement between the parties for the premises known as 1A Park Place, Hay River, NT

shall be terminated on February 29, 2016 and the respondent shall vacate the premises on that date unless the rent arrears and the rent for February, 2016 in the total amount of six hundred sixty dollars (\$660.00) is paid in full.

3. Pursuant to sections 63(4)(a) and 83(2) of the *Residential Tenancies Act*, the respondent shall be evicted from the premises known as 1A Park Place, Hay River, NT on March 1, 2016 unless the rent arrears and the rent for February, 2016 in the total amount of six hundred sixty dollars (\$660.00) is paid in full on or before February 29, 2016.

DATED at the City of Yellowknife, in the Northwest Territories this 1st day of March, 2016.

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Hal Logsdon  
Rental Officer

IN THE MATTER between **HAY RIVER HOUSING AUTHORITY**, Applicant, and  
**JAMIE HERON**, 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 **Hal Logsdon**, Rental Officer.

BETWEEN:

**HAY RIVER HOUSING AUTHORITY**

Applicant/Landlord

-and-

**JAMIE HERON**

Respondent/Tenant

**REASONS FOR DECISION**

**Date of the Hearing:** January 28, 2016

**Place of the Hearing:** Hay River, NT via telephone

**Appearances at Hearing:** Adam Swanson, representing the applicant  
Jamie Heron, respondent

**Date of Decision:** January 28, 2016

**REASONS FOR DECISION**

The applicant alleged that the respondent had breached the tenancy agreement by failing to pay rent and sought an order requiring the respondent to pay the alleged rent arrears and terminating the tenancy and evicting the respondent unless the rent arrears were promptly paid. The premises are subsidized public housing.

The applicant provided statements of account in evidence outlining rents assessed and payments made. The applicant testified that since the application was filed, all of the required income information had been provided by the respondent and all rents had been adjusted to the household income of the respondent. The applicant testified that the following rents remained outstanding:

June, 2015	\$20
July, 2015 to January, 2016 @ \$80/month	<u>560</u>
Total	\$580

A previous order (file #10-14188, filed on July 25, 2014) has been satisfied and also ordered the respondent to pay future rent on time.

The respondent did not dispute the allegations and stated that she had discussed the account with the landlord, considered her financial situation and was confident that she could pay the rent arrears and the February rent by February 29, 2016. The applicant stated that the February rent would remain at \$80.

I find the respondent in breach of her obligation to pay rent and in breach of the previous order to pay the monthly rent on time. I find the rent arrears to be \$580. In my opinion there are sufficient grounds to terminate the tenancy agreement on February 29, 2106 unless the rent arrears and the February rent are paid in full. I find that amount to be \$660.

Rent arrears	\$580
February, 2016 rent	<u>80</u>
Total	\$660

An order shall issue requiring the respondent to pay the applicant rent arrears of \$580 and terminating the tenancy agreement on February 29, 2016 unless \$660 is paid to the applicant on or before that date. An eviction order to be effective on March 1, 2016 unless the rent arrears and the February, 2016 rent are paid in full shall also be issued. The previous order to pay the monthly rent on time remains in effect.

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Hal Logsdon  
Rental Officer