

IN THE MATTER between **Northwest Territories Housing Corporation**, Applicant, and
Darcy 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**, Rental Officer, regarding a
rental premises located within the **hamlet of Fort Providence in the Northwest
Territories**.

BETWEEN:

NORTHWEST TERRITORIES HOUSING CORPORATION

Applicant/Landlord

- and -

DARCY BONNETROUGE

Respondent/Tenant

ORDER and EVICTION 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 \$5,468.39 (five thousand four hundred sixty-eight dollars thirty-nine cents).
2. Pursuant to section 41(4)(c) of the *Residential Tenancies Act*, the tenancy agreement between the parties will terminate May 31, 2016, and the respondent must vacate the rental premises on or before that date.

3. Pursuant to section 63(4)(a) of the *Residential Tenancies Act*, the respondent will be evicted from the rental premises known as Unit 50, Lot 96, in Fort Providence, Northwest Territories, on June 1, 2016.

DATED at the City of Yellowknife in the Northwest Territories this 22nd day of April 2016.

Adelle Guigon
Rental Officer

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BETWEEN:

NORTHWEST TERRITORIES HOUSING CORPORATION

Applicant/Landlord

-and-

DARCY BONNETROUGE

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: April 21, 2016

Place of the Hearing: Fort Providence, Northwest Territories, by teleconference

Appearances at Hearing: Alphonsine Gargan, representing the applicant

Date of Decision: April 21, 2016

REASONS FOR DECISION

An application to a rental officer made by Fort Providence Housing Association on behalf of the Northwest Territories Housing Corporation as the applicant/landlord against Darcy Bonnetrouge and Chantel Bonnetrouge as the respondents/tenants was filed by the Rental Office March 2, 2016. The application was made regarding a subsidized public housing residential tenancy agreement for a rental premises located in Fort Providence, Northwest Territories. The applicant served a copy of the filed application on the respondents by registered mail signed for March 21, 2016. The applicant's representative confirmed receiving acknowledgement from Mr. Bonnetrouge that he had received the application.

The applicant alleged the respondents had accumulated rental arrears and had been repeatedly late paying rent. An order was sought for payment of the rental arrears, termination of the tenancy agreement, and eviction.

A hearing was scheduled for April 21, 2016, in Fort Providence, Northwest Territories. The rental officer appeared by telephone. Ms. Alphonsine Gargan appeared representing the applicant. Mr. Darcy Bonnetrouge and Ms. Chantel Bonnetrouge were served notices of the hearing by registered mail signed for April 6, 2016. Neither respondent appeared at hearing, nor did anyone appear on their behalf. The hearing proceeded in the respondents' absence pursuant to section 80(2) of the *Residential Tenancies Act* (the Act).

Tenancy agreement

The applicant submitted into evidence residential tenancy agreements for subsidized public housing which establish Mr. Bonnetrouge as the sole tenant to the agreement commencing October 15, 2013. It is clear that Ms. Bonnetrouge has always been an occupant of the rental premises with Mr. Bonnetrouge, but is not a named tenant to the current tenancy agreement. I am satisfied a valid tenancy agreement for subsidized public housing is in place between the applicant and Mr. Bonnetrouge in accordance with the Act. As Ms. Bonnetrouge is not a party to the tenancy agreement, the style of cause for this matter going forward will identify Mr. Bonnetrouge as the sole respondent/tenant.

Rental arrears

The applicant submitted into evidence lease balance statements representing the landlord's accounting of monthly assessed rents and payments made against the respondent's rent account. I am satisfied the statements accurately reflect the current status of the respondent's rent account.

The applicant's allegations that the respondent has repeatedly failed to pay the full amount of his rent when due throughout the tenancy are made out by the lease balance statements. The claimed rental arrears represent approximately 6.5 months outstanding rent. I find the respondent has repeatedly and unreasonably failed to pay his rent on time and has accumulated rental arrears in the amount of \$5,468.39.

Termination of the tenancy agreement and eviction

In light of the substantial amount of rental arrears accumulated to date and the respondent's repeated failure to adequately meet his obligations, I am satisfied termination of the tenancy agreement and eviction are justified.

Order

An order will issue requiring the respondent to pay rental arrears in the amount of \$5,468.39; terminating his tenancy agreement May 31, 2016; and evicting the respondent from the rental premises June 1, 2016.

Adelle Guigon
Rental Officer