

IN THE MATTER between **FORT RESOLUTION HOUSING AUTHORITY**,  
Applicant, and **JACKIE BOYCE AND TIM BOYCE**, Respondents;

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,  
regarding the rental premises at **FORT RESOLUTION, NT.**

BETWEEN:

**FORT RESOLUTION HOUSING AUTHORITY**

Applicant/Landlord

- and -

**JACKIE BOYCE AND TIM BOYCE**

Respondents/Tenants

**ORDER**

IT IS HEREBY ORDERED:

1. Pursuant to section 41(4)(a) of the *Residential Tenancies Act*, the respondents shall pay the applicant rent arrears in the amount of six thousand three hundred fifty nine dollars and forty eight cents (\$6359.48).

DATED at the City of Yellowknife, in the Northwest Territories this 18th day of  
December, 2002.

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Hal Logsdon  
Rental Officer

IN THE MATTER between **FORT RESOLUTION HOUSING AUTHORITY**,  
Applicant, and **JACKIE BOYCE AND TIM BOYCE**, Respondents.

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:

**FORT RESOLUTION HOUSING AUTHORITY**

Applicant/Landlord

-and-

**JACKIE BOYCE AND TIM BOYCE**

Respondents/Tenants

**REASONS FOR DECISION**

**Date of the Hearing:** December 11, 2002

**Place of the Hearing:** Fort Resolution, NT via teleconference

**Appearances at Hearing:** Joyce Beaulieu, representing the applicant

**Date of Decision:** December 18, 2002

### **REASONS FOR DECISION**

The respondents were served with Notices of Attendance on December 2, 2002 but failed to appear at the hearing. The hearing was held in their absence.

The tenancy agreement between the parties was terminated on October 31, 2002 when the respondents vacated the premises. The applicant alleged that the respondents had failed to pay the full amount of the rent and sought an order requiring the respondents to pay the alleged arrears.

The applicant provided a copy of the tenant ledger which indicated a balance of rent owing as at September 30, 2002 in the amount of \$4910.50. The applicant testified that since that time the October rent had come due in the amount of \$1930. The applicant also indicated that the unsubsidized rent of \$1930 had been charged for the months of August, September and October because the respondents had failed to provide any income information on which to base a rent geared to income. A notice was sent to the respondents on September 6, 2002 indicating that the unsubsidized rent had been charged and would continue to be charged until the respondents provided the necessary information. The requirement to report household income is an obligation of the tenant in the written tenancy agreement between the parties. The premises are subsidized public housing.

The applicant retained the security deposit of \$450 but issued no statement. The ledger indicates

the deposit was received on February 9, 2001. There was no evidence of repairs made necessary due to tenant damages.

In my opinion, the application of the unsubsidized rent is reasonable as the respondents failed to provide any income information on which to base the rent. I find the balance of rent owing to be \$6840.50. Taking in to account the retained security deposit, I find the remaining rent owing to be \$6359.48 calculated as follows:

Security deposit	\$450.00
Interest on deposit	31.02
Less rent arrears	<u>(6840.50)</u>
<b>Amount owing applicant</b>	<b>\$6359.48</b>

An order shall be issued requiring the respondents to pay the applicant rent arrears in the amount of \$6359.48.

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Hal Logsdon  
Rental Officer