

IN THE MATTER between **FORT PROVIDENCE HOUSING ASSOCIATION**,
Applicant, and **MARTIN MINOZA AND JANET ELLEZE**, 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 PROVIDENCE, NT.**

BETWEEN:

FORT PROVIDENCE HOUSING ASSOCIATION

Applicant/Landlord

- and -

MARTIN MINOZA AND JANET ELLEZE

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 three thousand three hundred fifty four dollars (\$3354.00).
2. Pursuant to section 45(4)(a) of the *Residential Tenancies Act*, the respondents shall comply with their obligation to report household income in accordance with the tenancy agreement.
3. Pursuant to section 41(4)(b) of the *Residential Tenancies Act*, the respondents shall pay future rent on time.

DATED at the City of Yellowknife, in the Northwest Territories this 24th day of July,
2003.

Hal Logsdon
Rental Officer

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Applicant/Landlord

-and-

MARTIN MINOZA AND JANET ELLEZE

Respondents/Tenants

REASONS FOR DECISION

Date of the Hearing: July 14, 2003

Place of the Hearing: Fort Providence, NT

Appearances at Hearing: Diana Gargan, representing the applicant

Date of Decision: July 14, 2003

REASONS FOR DECISION

The respondents were served with Notices of Attendance on June 20, 2003 but failed to appear at the hearing. The hearing was held in their absence.

The applicant alleged that the respondents had breached the tenancy agreement by failing to pay rent and by failing to report the household income in accordance with the written tenancy agreement between the parties. The applicant sought an order requiring the respondents to pay the alleged rent arrears, to report the household income and to pay future rent on time.

The applicant provided a copy of the tenant ledger which indicated a balance of rent owing in the amount of \$3354. The ledger indicates that the full, unsubsidized rent was charged for the month of July, 2003. The applicant testified that the respondents had failed to provide any income information for that month on which to base the rent. The premises are subsidized public housing. The written tenancy agreement requires tenants to provide the landlord with an accurate report of the household income.

I find the ledger in order and find that the landlord was entitled to charge the full, unsubsidized rent for the month of July, 2003. I find the rent arrears to be \$3354.

An order shall be issued requiring the respondents to pay rent arrears in the amount of \$3354, to report the household income in accordance with the tenancy agreement and to pay future rent on

time. Should the tenant report income for the month of July, 2003 which results in a lower rent than previously assessed, the landlord shall adjust the July, 2003 rent accordingly

Hal Logsdon
Rental Officer