

IN THE MATTER between **YELLOWKNIFE HOUSING AUTHORITY**, Applicant,
and **RAYLENE TUCCARO AND ROD BEAULIEU**, 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 **YELLOWKNIFE, NT**.

BETWEEN:

YELLOWKNIFE HOUSING AUTHORITY

Applicant/Landlord

- and -

RAYLENE TUCCARO AND ROD BEAULIEU

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 four hundred fifteen dollars and ninety eight cents (\$415.98).
2. Pursuant to section 45(4)(a) of the *Residential Tenancies Act*, the respondents shall comply with their obligation to pay for electricity for the rental premises in accordance with their tenancy agreement.
3. Pursuant to sections 41(4)(c) and 83(2) of the *Residential Tenancies Act*, the tenancy agreement between the parties for the premises known as Unit 15, 5009 - 47 Street,

Yellowknife, NT shall be terminated on October 13, 2004 and the respondents shall vacate the premises on that date unless the respondents pay the applicant the rent arrears and the October, 2004 rent in the total amount of four hundred forty seven dollars and ninety eight cents (\$447.98) and pay the balance of their electrical account to the supplier of electricity.

DATED at the City of Yellowknife, in the Northwest Territories this 22nd day of September, 2004.

Hal Logsdon
Rental Officer

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and **RAYLENE TUCCARO AND ROD BEAULIEU**, Respondents.

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

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BETWEEN:

YELLOWKNIFE HOUSING AUTHORITY

Applicant/Landlord

-and-

RAYLENE TUCCARO AND ROD BEAULIEU

Respondents/Tenants

REASONS FOR DECISION

Date of the Hearing: September 21, 2004

Place of the Hearing: Yellowknife, NT

Appearances at Hearing: Mary George, representing the applicant

Date of Decision: September 21, 2004

REASONS FOR DECISION

The respondents were served with Notices of Attendance on September 9, 2004 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 pay for electricity for the premises in accordance with the written tenancy agreement. The applicant sought an order requiring the respondent to pay the alleged rent arrears and costs of electricity and terminating the tenancy agreement between the parties.

The applicant provided a statement of the rent account which indicated a balance of rent owing in the amount of \$415.98. The applicant stated that the respondents had recently declared a change in the household income and the rent account had been adjusted accordingly. The applicant stated that the October, 2004 rent would be assessed at \$32 unless there was another change of household income.

The applicant provided a statement of the respondents' electrical account with the supplier. The statement indicated that the account was in arrears with a balance of \$317.39. The tenancy agreement between the parties obligates the tenant to pay for electrical costs during the term of the tenancy.

I find the respondents in breach of their obligation to pay rent and to pay for electrical costs. I

find the rent arrears to be \$415.98. The applicant stated that they would not object to the continuation of the tenancy agreement provided the rent arrears and the electrical costs were paid by October 13, 2004. In my opinion, there are sufficient grounds to terminate the tenancy agreement unless the rent and electrical costs are promptly paid.

An order shall issue requiring the respondent to pay the applicant rent arrears in the amount of \$415.98 and to comply with their obligation to pay for electrical costs for the premises in accordance with their tenancy agreement. The order shall terminate the tenancy agreement on October 13, 2004 unless the respondents pay the applicant the rent arrears and October, 2004 rent in the total amount of \$447.98 and comply with their obligation to pay for electricity by paying the full balance of the electrical account to the supplier.

Hal Logsdon
Rental Officer