

IN THE MATTER between **NORTH SLAVE HOUSING CORPORATION**,
Applicant, and **NICOLE GORDON**, 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,
regarding the rental premises at **YELLOWKNIFE, NT**.

BETWEEN:

NORTH SLAVE HOUSING CORPORATION

Applicant/Landlord

- and -

NICOLE GORDON

Respondent/Tenant

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to section 45(4)(a) of the *Residential Tenancies Act*, the respondent shall comply with her obligation to report household income by providing the required information to the landlord for October and November, 2004 no later than December 10, 2004.

DATED at the City of Yellowknife, in the Northwest Territories this 30th day of
November, 2004.

Hal Logsdon
Rental Officer

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BETWEEN:

NORTH SLAVE HOUSING CORPORATION

Applicant/Landlord

-and-

NICOLE GORDON

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: November 23, 2004

Place of the Hearing: Yellowknife, NT

Appearances at Hearing: Roberta Bulmer, representing the applicant
Nicole Gordon, respondent
Lynne Campbell, representing the respondent

Date of Decision: November 23, 2004

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 to pay future rent on time. The applicant withdrew the request for an order terminating the tenancy agreement.

The applicant provided a copy of the tenant ledger in evidence which indicated a balance owing in the amount of \$807. The applicant noted that the rent for September, 2004 had been adjusted to a significantly lower amount because the respondent provided the required income information for that month. The applicant stated that adjustments would be made for the months of October and November provided the respondent submitted the required income information. The respondent stated that she intended to provide the required information.

The premises are subsidized public housing and the tenancy agreement between the parties obligates the tenant to provide a declaration of income on which to base the rent. As the balance of rent arrears may change significantly if the respondent complies with her obligation to report income, in my opinion, it would be more reasonable to issue an order requiring the respondent to comply with this obligation. If reasonable arrangements could not be reached between the parties to pay the resultant arrears, the landlord could seek further remedy through an application to a rental officer. The parties agreed to the issuance of such an order.

I find the respondent in breach of her obligation to report income in accordance with the tenancy

agreement. An order shall issue requiring the respondent to comply with her obligation to report household income by providing the required income information to the landlord for October and November, 2004 no later than December 10, 2004.

Hal Logsdon
Rental Officer