

IN THE MATTER between **TUKTOYAKTUK HOUSING ASSOCIATION**,
Applicant, and **STELLA COCKNEY**, 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 **TUKTOYAKTUK, NT.**

BETWEEN:

TUKTOYAKTUK HOUSING ASSOCIATION

Applicant/Landlord

- and -

STELLA COCKNEY

Respondent/Tenant

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to section 41(4)(a) of the *Residential Tenancies Act*, the respondent shall pay the applicant rent arrears in the amount of four thousand four hundred ninety two dollars and seventy six cents (\$4492.76).
2. Pursuant to section 84(2) of the *Residential Tenancies Act*, the respondent may pay the rent arrears in monthly installments of no less than six hundred dollars (\$600.00), the first payment being due on August 1, 2004 and payable thereafter on the first day of every month, along with the rent, until the rent arrears are paid in full.

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3. Pursuant to section 41(4)(b) of the *Residential Tenancies Act*, the respondent shall pay future rent on time.

DATED at the City of Yellowknife, in the Northwest Territories this 23rd day of July, 2004.

Hal Logsdon
Rental Officer

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BETWEEN:

TUKTOYAKTUK HOUSING ASSOCIATION

Applicant/Landlord

-and-

STELLA COCKNEY

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: July 15, 2004

Place of the Hearing: Tuktoyaktuk, NT

Appearances at Hearing: Lucille Pokiak, representing the applicant
Stella Cockney, respondent

Date of Decision: July 15, 2004

REASONS FOR DECISION

The applicant alleged that the respondent had breached her obligation to pay rent and sought an order requiring the respondent to pay the alleged rent arrears and terminating the tenancy agreement.

The applicant provided a copy of the tenant ledger which indicated a balance owing in the amount of \$5516.76 and testified that the full unsubsidized rent had been charged for July, 2004 because the respondent had failed to declare the household income in accordance with the written tenancy agreement. The premises are subsidized public housing.

The respondent provided the required income information at the hearing and the July rent was adjusted in accordance with the rent scale resulting in a balance owing in the amount of \$4492.76. The respondent did not dispute the rent and stated that she would be able to pay the arrears in monthly installments of \$600 along with the assessed rent. The applicant consented to the scheduled payment of the arrears.

I find the respondent in breach of her obligation to pay rent and find the rent arrears to be \$4492.76. An order shall issue requiring the respondent to pay the rent arrears in accordance with the agreed upon schedule and to pay future rent on time.

Should the respondent fail to make payments of the arrears in accordance with this order or fail

to pay the monthly rent on time, the applicant may make a future application seeking the lump sum payment of any remaining balance and/or termination of the tenancy agreement.

Hal Logsdon
Rental Officer