

IN THE MATTER between **RAE-EDZO HOUSING AUTHORITY**, Applicant, and **DAVID TLOKKA AND TERRY WHANE**, 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 **RAE-EDZO, NT**.

BETWEEN:

**RAE-EDZO HOUSING AUTHORITY**

Applicant/Landlord

- and -

**DAVID TLOKKA AND TERRY WHANE**

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 twenty thousand four hundred sixty one dollars (\$20,461.00).
2. Pursuant to section 84(2) of the *Residential Tenancies Act*, the respondents may pay the arrears in monthly installments of twenty five dollars (\$25.00), the first payment being due on April 1, 2005 and payable thereafter on the first day of every month, along with the rent, until the rent arrears are paid in full.

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 17th day of March, 2005.

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Hal Logsdon  
Rental Officer

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BETWEEN:

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Applicant/Landlord

-and-

**DAVID TLOKKA AND TERRY WHANE**

Respondents/Tenants

**REASONS FOR DECISION**

**Date of the Hearing:** March 2, 2005

**Place of the Hearing:** Rae-Edzo, NT

**Appearances at Hearing:** Bob Richardson, representing the applicant  
Terry Whane, respondent

**Date of Decision:** March 2, 2005

**REASONS FOR DECISION**

The applicant alleged that the respondents had breached the tenancy agreement by failing to pay rent and sought an order requiring the respondent to pay the alleged rent arrears and terminating the tenancy agreement between the parties.

The applicant provided a copy of the tenant ledger in evidence which indicated a balance of rent owing in the amount of \$20,461.

The respondent stated that she could pay the rent in monthly installments and the parties agreed on monthly installments of \$25.

I find the respondents in breach of their obligation to pay rent and find the rent arrears to be \$20,461. In my opinion, the tenancy should be permitted to continue provided the respondent makes payments in accordance with this order. An order shall issue requiring the respondents to pay rent arrears in the amount of \$20,461 in installments of no less than \$25/month commencing on April 1, 2005. The monthly installments shall be made every month on the first day, along with the rent, until the rent arrears are paid in full. The order shall also require the respondents to pay the monthly rent on time.

Should the respondents fail to make payments of rent or arrears in accordance with this order, the

applicant may file a future application, seeking the lump sum payment of any balance and termination of the tenancy agreement.

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Hal Logsdon  
Rental Officer