

IN THE MATTER between **RAE-EDZO HOUSING AUTHORITY**, Applicant, and
WAYNE SABOURIN AND CHRISTINE WASHIE, 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, NT**.

BETWEEN:

RAE-EDZO HOUSING AUTHORITY

Applicant/Landlord

- and -

WAYNE SABOURIN AND CHRISTINE WASHIE

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 twelve thousand two hundred one dollars and fifty seven cents (\$12,201.57).
2. Pursuant to section 41(4)(c) of the *Residential Tenancies Act*, the tenancy agreement between the parties for the premises known as Unit 429A, Weda Tili, Rae, NT shall be terminated on September 30, 2005 and the respondents shall vacate the premises on that date.

DATED at the City of Yellowknife, in the Northwest Territories this 7th day of
September, 2005.

Hal Logsdon
Rental Officer

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BETWEEN:

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Applicant/Landlord

-and-

WAYNE SABOURIN AND CHRISTINE WASHIE

Respondents/Tenants

REASONS FOR DECISION

Date of the Hearing: September 1, 2005

Place of the Hearing: Rae, NT

Appearances at Hearing: Robert Richardson, representing the applicant
Christine Washie, respondent

Date of Decision: September 1, 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 respondents to pay the alleged rent arrears and termination of the tenancy agreement. The premises are subsidized public housing.

The applicant provided a copy of the tenant ledger in evidence which indicated a balance of rent owing in the amount of \$12,201.57. The ledger indicated that the full, unsubsidized rent had been charged for the months of April, May, June, July and August 2005. The applicant testified that the full, unsubsidized rent had been charged because the respondents failed to provide any income information for those months on which to base the rent.

The respondent stated that her spouse had moved out because he did not wish to pay the high rent. The respondent did not dispute the arrears and indicated that her spouse had intended to provide income information to the landlord.

Unlike so many other public housing tenancies in this community where rent arrears have accumulated over a long period of time without any serious effort on the part of the landlord to collect rent, all of these arrears have accumulated since April, 2004. The landlord has been persistent with notices to the respondents demanding that rent be paid but they have apparently had no effect as the respondents have seldom paid anything and now have failed to report income, although Mr. Sabourin has been working.

I am not convinced by the evidence that the respondents have any serious intention of redeeming this tenancy.

I find the respondents in breach of their obligation to pay rent and find the rent arrears to be \$12,201.57. In my opinion there are sufficient grounds to terminate the tenancy agreement. An order shall issue requiring the respondents to pay the applicant rent arrears in the amount of \$12,201.57 and terminating the tenancy agreement on September 30, 2005.

Hal Logsdon
Rental Officer