

IN THE MATTER between **RAE-EDZO HOUSING AUTHORITY**, Applicant, and
ERIC APPLES AND KAREN LAFFERTY, 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 -

ERIC APPLES AND KAREN LAFFERTY

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 five thousand one hundred fifty eight dollars (\$5158.00).
2. Pursuant to section 84(2) of the *Residential Tenancies Act*, the respondents may pay the rent arrears in monthly installments of not less than two hundred dollars (\$200.00), the first payment being due on January 1, 2006 and 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 respondents shall pay future rent on time.

DATED at the City of Yellowknife, in the Northwest Territories this 20th day of December, 2005.

Hal Logsdon
Rental Officer

IN THE MATTER between **RAE-EDZO HOUSING AUTHORITY**, Applicant, and **ERIC APPLES AND KAREN LAFFERTY**, 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.

BETWEEN:

RAE EDZO HOUSING AUTHORITY

Applicant/Landlord

-and-

ERIC APPLES AND KAREN LAFFERTY

Respondents/Tenants

REASONS FOR DECISION

Date of the Hearing: December 13, 2005

Place of the Hearing: Rae-Edzo, NT

Appearances at Hearing: Robert Richardson, representing the applicant
Eric Apples, respondent
Karen Lafferty, respondent

Date of Decision: December 13, 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 terminating the tenancy agreement.

The applicant provided a copy of the tenant ledger in evidence which indicated a balance of rent owing in the amount of \$7218.

The respondent, Mr. Apples, disputed the amount owing, stating that he had lost his job in October and had reported the loss of income to the landlord. He stated that he had not received any income in the months of November and December, 2005 and had not applied for employment insurance as he expected to gain employment in the near future.

The respondents stated that they would pay the rent arrears in monthly installments of \$200 along with the rent until the arrears were paid in full. The applicant agreed to the repayment plan and withdrew the request for termination.

I find the respondents in breach of their obligation to pay rent and find the rent arrears to be \$5158. As the income change appears to have been reported to the landlord, the rent for November and December, 2005 should be adjusted accordingly:

Balance as per ledger	\$7218
Reverse Nov. & Dec. rent	(2124)
Rent (Nov & Dec. @\$32)	<u>64</u>
Balance owing	\$5158

An order shall issue requiring the respondents to pay the applicant rent arrears in the amount of \$5158. The arrears may be paid in monthly installments of not less than \$200, along with the rent on the first of every month. The first payment shall be due on January 1, 2006. The respondents are also ordered to pay future rent on time.

Should the respondents fail to pay the arrears in accordance with this order or fail to pay the monthly rent, the applicant may file a future application seeking the immediate payment of any balance and termination of the tenancy agreement.

Hal Logsdon
Rental Officer