

IN THE MATTER between **RAE-EDZO HOUSING AUTHORITY**, Applicant, and **PIERRE TLOKKA AND MARY ADELE TLOKKA**, 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 -

**PIERRE TLOKKA AND MARY ADELE TLOKKA**

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 two thousand two hundred ninety eight dollars (\$2298.00).
2. 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 19th day of December, 2005.

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Hal Logsdon  
Rental Officer

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BETWEEN:

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Applicant/Landlord

-and-

**PIERRE TLOKKA AND MARY ADELE TLOKKA**

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

**Date of Decision:** December 13, 2005

**REASONS FOR DECISION**

The respondents were served with Notices of Attendance sent by registered mail to the rental premises and confirmed delivered. The respondents failed to appear at the hearing and the hearing was held in their absence.

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 applicant provided a copy of the tenant ledger in evidence which indicated a balance of rent owing in the amount of \$2298. The premises are subsidized public housing.

The respondents are senior citizens who would not be obligated to pay rent except for the fact that their adult son lives with them. The premises are a four bedroom house and the tenants require only two bedrooms. The applicant stated that there are other families on the waiting list for four bedroom units. The applicant has not offered other accommodation to the respondents but a smaller unit is expected to become available in early 2006.

In my opinion, this tenancy agreement should be permitted to continue provided the tenants accept smaller accommodation when it is offered to them and make some arrangement with the landlord to pay the arrears over a period of time. I find the rent arrears to be \$2298.

An order shall issue requiring the respondents to pay the applicant rent arrears in the amount of \$2298 and to pay future rent on time. If the respondents refuse to relocate when a smaller unit is offered to them, the landlord may file an application seeking termination of the tenancy agreement.

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Hal Logsdon  
Rental Officer