

IN THE MATTER between **TUKTOYAKTUK HOUSING ASSOCIATION**,
Applicant, and **PATRICK KUPTANA AND TERRI LEE KUPTANA**, 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 **TUKTOYAKTUK, NT**.

BETWEEN:

TUKTOYAKTUK HOUSING ASSOCIATION

Applicant/Landlord

- and -

PATRICK KUPTANA AND TERRI LEE KUPTANA

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 nine thousand nine hundred twenty two dollars and twenty four cents (\$9922.24).
2. Pursuant to section 84(2) of the *Residential Tenancies Act*, the respondents may pay the rent arrears in monthly installments of no less than one thousand dollars (\$1000.00), the first payment being due on April 1, 2005 and payable thereafter on the first day of each 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 30th day of March, 2005.

Hal Logsdon
Rental Officer

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BETWEEN:

TUKTOYAKTUK HOUSING ASSOCIATION

Applicant/Landlord

-and-

PATRICK KUPTANA AND TERRI LEE KUPTANA

Respondents/Tenants

REASONS FOR DECISION

<u>Date of the Hearing:</u>	March 22, 2005
<u>Place of the Hearing:</u>	Tuktoyaktuk, NT via teleconference
<u>Appearances at Hearing:</u>	Lucille Pokiak, representing the applicant Terri Lee Kuptana, respondent
<u>Date of Decision:</u>	March 22, 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 rent ledger which indicated a balance of rent owing in the amount of \$9922.24.

The respondent did not dispute the allegations and indicated she could pay the arrears in monthly installments of \$1000 along with the rent. The applicant accepted the arrangement and withdrew the request for an order terminating the tenancy agreement.

I find the respondents in breach of their obligation to pay rent and find the rent arrears to be \$9922.24. An order shall issue requiring the respondents to pay the rent arrears in installments of no less than \$1000/month along with the monthly assessed rent. The first payment shall be due on April 1, 2005 and payments shall be made on the first of each month thereafter, until the rent arrears are paid in full. The respondents shall also be ordered to pay future rent on time.

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

Hal Logsdon
Rental Officer