

IN THE MATTER between **TUKTOYAKTUK HOUSING ASSOCIATION**,
Applicant, and **ROY KIMIKSANA AND BRENDA KIMIKSANA**, 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 -

ROY KIMIKSANA AND BRENDA KIMIKSANA

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 one thousand four hundred sixty nine dollars and thirty six cents (\$1469.36).
2. Pursuant to section 84(2) of the *Residential Tenancies Act*, the respondents may pay the rent arrears in monthly installments of twenty dollars (\$20.00), payable along with the rent, until the rent arrears are paid in full. The first payment shall be due on October 1, 2005 and shall be payable each month thereafter on the first day of the month 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 27th day of September, 2005.

Hal Logsdon
Rental Officer

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BETWEEN:

TUKTOYAKTUK HOUSING ASSOCIATION

Applicant/Landlord

-and-

ROY KIMIKSANA AND BRENDA KIMIKSANA

Respondents/Tenants

REASONS FOR DECISION

<u>Date of the Hearing:</u>	September 13, 2005
<u>Place of the Hearing:</u>	Tuktoyaktuk, NT via teleconference
<u>Appearances at Hearing:</u>	Lucille Pokiak, representing the applicant Roy Kimiksana, respondent Brenda Kimiksana, respondent
<u>Date of Decision:</u>	September 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 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 \$1469.36.

The respondents did not dispute the rent arrears and offered to pay the arrears in monthly installments along with the rent. The parties agreed that \$20/month plus the monthly rent would be reasonable. The applicant withdrew the request for termination.

I find the respondents in breach of their obligation to pay rent and find the rent arrears to be \$1469.36. An order shall issue requiring the respondents to pay the applicant the rent arrears in monthly installments of \$20. The first payment shall be due on October 1, 2005, along with the rent, and shall be due on the first day of each month thereafter, until the rent arrears are paid in full. 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 on time, the applicant may file a future application seeking the full payment of any remaining balance and termination of the tenancy agreement.

Hal Logsdon
Rental Officer