

IN THE MATTER between **YELLOWKNIVES DENE FIRST NATION HOUSING DIVISION**, Applicant, and **WILLIAM DOCTOR**, Respondent;

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 **YELLOWKNIFE, NT**.

BETWEEN:

YELLOWKNIVES DENE FIRST NATION HOUSING DIVISION

Applicant/Landlord

- and -

WILLIAM DOCTOR

Respondent/Tenant

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to section 41(4)(a) of the *Residential Tenancies Act*, the respondent shall pay the applicant rent arrears in the amount of two thousand five hundred ninety six dollars (\$2596.00).
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 28th day of January, 2007.

Hal Logsdon
Rental Officer

IN THE MATTER between **YELLOWKNIVES DENE FIRST NATION HOUSING DIVISION**, Applicant, and **WILLIAM DOCTOR**, Respondent.

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:

YELLOWKNIVES DENE FIRST NATION HOUSING DIVISION

Applicant/Landlord

-and-

WILLIAM DOCTOR

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: January 23, 2007

Place of the Hearing: Yellowknife, NT

Appearances at Hearing: Stephan Folkers, representing the applicant
Marilyn Colin, representing the applicant
William Doctor, respondent

Date of Decision: January 23, 2007

REASONS FOR DECISION

The applicant alleged that the respondent had breached the tenancy agreement by failing to pay rent and sought an order requiring the respondent to pay the alleged rent arrears. The premises are subsidized public housing.

The applicant provided a copy of the rent ledger which indicated a balance of rent owing in the amount of \$6284.59. The ledger indicates that the full unsubsidized rent of \$1188 was applied for the months of November and December, 2006 and January, 2007. The applicant stated that they had not received any subsidy for those months and assumed the household income had not been reported.

The respondent testified that he had reported the household income to enable the rents for November and December, 2006 and January, 2007 to be calculated.

The first entry on the ledger is a balance forward of \$124.59. I shall not consider these alleged arrears as there is no evidence to indicate how these rent arrears accrued.

I can not determine the rent for the months of November and December, 2006 or the rent for January 2007. The unsubsidized rent the landlord has applied is unreasonable as the evidence suggests the household income has been reported.

I find the respondent in breach of his obligation to pay rent and find rent arrears of \$2596

calculated as follows:

Balance as per ledger	\$6284.59
Reverse rent for Nov/06, Dec/06 & Jan/07	(3564.00)
less balance fwd- Apr 1/06	<u>(124.59)</u>
Balance owing	\$2596.00

An order shall issue requiring the respondent to pay the applicant rent arrears in the amount of \$2596 and to pay future rent on time.

Hal Logsdon
Rental Officer