

IN THE MATTER between **YELLOWKNIVES DENE FIRST NATION HOUSING DIVISION**, Applicant, and **ANDREW CRAPEAU**, 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 -

ANDREW CRAPEAU

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 ten thousand nine hundred seventy five dollars (\$10,975.00).
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 **ANDREW CRAPEAU**, 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-

ANDREW CRAPEAU

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
Andrew Crapeau, 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 \$11,841.32. The ledger indicates that the full unsubsidized rent of \$1523 was applied for the months of September, October, November and December, 2006 and January, 2007.

The respondent stated that he had not provided any income information on which to calculate the rents for September, October, November and December, 2006 and January, 2007.

Two previous orders (File #10-8085, Filed on November 30, 2004 and #10-8939, filed on March 28, 2006) order the payment of rent arrears. Unsatisfied balances exist on both of these orders. I find an unsatisfied balance on #10-8085 of \$215 and an unsatisfied balance on #10-8939 of \$651.32.

I find the application of the full unsubsidized rent reasonable. I find the respondent in breach of his obligation to pay rent and find rent arrears of \$10,975 calculated as follows:

Balance as per ledger	\$11,841.32
Unsatisfied balance #10-8085	(215.00)
Unsatisfied balance #10-8939	<u>(651.32)</u>
Balance owing	\$10,975.00

An order shall issue requiring the respondent to pay the applicant rent arrears in the amount of \$10,975 and to pay future rent on time. Should the respondent report his household income in accordance with the tenancy agreement, the rent shall be adjusted to that income.

Hal Logsdon
Rental Officer