

IN THE MATTER between **YELLOWKNIFE HOUSING AUTHORITY**, Applicant,
and **MARGARET DOOK AND CHRISTOPHER BOURKE**, 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 **YELLOWKNIFE, NT**.

BETWEEN:

YELLOWKNIFE HOUSING AUTHORITY

Applicant/Landlord

- and -

MARGARET DOOK AND CHRISTOPHER BOURKE

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 four hundred forty three dollars and forty nine cents (\$443.49).
2. Pursuant to sections 41(4)(c) and 83(2) of the *Residential Tenancies Act*, the tenancy agreement between the parties for the premises known as 1470 Gitzel Street, Yellowknife, NT shall be terminated on November 30, 2007 and the respondents shall vacate the premises on that date unless the rent arrears in the amount of four hundred forty three dollars and forty nine cents (\$443.49) are paid in full.

DATED at the City of Yellowknife, in the Northwest Territories this 14th day of
November, 2007.

Hal Logsdon
Rental Officer

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BETWEEN:

YELLOWKNIFE HOUSING AUTHORITY

Applicant/Landlord

-and-

MARGARET DOOK AND CHRISTOPHER BOURKE

Respondents/Tenants

REASONS FOR DECISION

Date of the Hearing: November 9, 2007

Place of the Hearing: Yellowknife, NT

Appearances at Hearing: Julie Forget, representing the applicant

Date of Decision: November 9, 2007

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 terminating the tenancy agreement unless the rent arrears were paid by November 30, 2007.

The applicant provided a statement of account which indicated a balance of rent owing in the amount of \$3673.49. The full unsubsidized rent of \$1615 has been assessed for the months of October and November, 2007. The full unsubsidized rent was applied for those months because the applicant did not receive the subsidy from the Income Security Program, but the applicant was unable to determine if the respondents had reported their household income in accordance with the tenancy agreement. An Assessment History Report was provided in evidence by the applicant which indicated that the October, 2007 rent assessment was “in progress”.

I can not determine if the respondents have reported their income to enable the October and November, 2007 rents to be calculated. I am therefore unable to determine the rents for those months. Ignoring the October and November, 2007 rent, I find rent arrears in the amount of \$443.49.

All previous orders have been satisfied.

I find the respondents in breach of their obligation to pay rent and find the rent arrears to be \$443.49. In my opinion, there are sufficient grounds to terminate the tenancy agreement between the parties unless the rent arrears are promptly paid.

An order shall issue requiring the respondents to pay the applicant rent arrears in the amount of \$443.49 and terminating the tenancy agreement on November 30, 2007 unless those rent arrears are paid in full.

Hal Logsdon
Rental Officer