

IN THE MATTER between **YELLOWKNIFE HOUSING AUTHORITY**, Applicant,
and **RITA OHOKAK**, 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:

YELLOWKNIFE HOUSING AUTHORITY

Applicant/Landlord

- and -

RITA OHOKAK

Respondent/Tenant

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to sections 41(4)(a) and 83(2) of the *Residential Tenancies Act*, the respondent shall pay the applicant rent arrears in the amount of one thousand one hundred ninety dollars and eighteen cents (\$1190.18) in monthly payments of no less than one hundred twenty dollars (\$120.00). The first payment shall be due no later than January 31, 2008 and subsequent payments shall be due no later than the last day of each month thereafter, until the rent arrears are paid in full.
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 20th day of
December, 2007.

Hal Logsdon
Rental Officer

IN THE MATTER between **YELLOWKNIFE HOUSING AUTHORITY**, Applicant,
and **RITA OHOKAK**, 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:

YELLOWKNIFE HOUSING AUTHORITY

Applicant/Landlord

-and-

RITA OHOKAK

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: December 18, 2007

Place of the Hearing: Yellowknife, NT

Appearances at Hearing: Julie Forget, representing the applicant

Date of Decision: December 20, 2007

REASONS FOR DECISION

The respondent was served with a Notice of Attendance sent by registered mail and confirmed delivered. The respondent failed to appear at the hearing and the hearing was held in her absence.

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 and terminating the tenancy agreement. The applicant provided a statement of the rent account in evidence which indicated a balance of rent owing in the amount of \$1190.18. The premises are subsidized public housing and all the monthly rents were assessed based on the respondent's household income.

A previous order (File #10-9416, filed on March 9, 2007) required the respondent to pay rent arrears in the amount of \$2578. Applying payments made since that date first to arrears, that order has been satisfied.

The applicant noted that although the balance owing had been reduced since the issuance of the last order, the respondent had not agreed to any payment plan that would eliminate the arrears in a regular manner. The applicant agreed to an order that would require the respondent to make regular monthly payments to retire the arrears rather than terminate the tenancy agreement.

I find the statement in order and find the respondent in breach of her obligation to pay rent. I find the rent arrears to be \$1190.18. It is unfortunate that the respondent did not attend the hearing so

that a payment plan could be arranged to fit her financial situation. Reviewing the statement, I note the balance owing has been reduced by over 50% over the past 10 months. Assuming that the respondent's financial capacity remains the same, she should be able to retire the debt entirely in another ten months with monthly payments of \$120 in addition to the monthly assessed rent.

An order shall issue requiring the respondent to pay the applicant rent arrears in the amount of \$1190.18. The respondent shall pay the arrears in monthly payments of no less than \$120. The first payment shall be due no later than January 31, 2008. Payments shall be made no later than the last day of every month thereafter until the rent arrears are paid in full. The respondent shall also be ordered to pay the monthly rent on time.

Should the respondent fail to make payments in accordance with this order or fail to pay the monthly rent on time, the applicant may file another application seeking the full payment of any remaining balance and termination of the tenancy agreement.

Hal Logsdon
Rental Officer