

IN THE MATTER between **LUTSEL K'E HOUSING AUTHORITY**, Applicant, and **MICHEAL SANDERSON**, 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 **LUTSEL K'E, NT**.

BETWEEN:

**LUTSEL K'E HOUSING AUTHORITY**

Applicant/Landlord

- and -

**MICHEAL SANDERSON**

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 five thousand five hundred forty two dollars (\$5542.00).
2. Pursuant to section 45(4)(a) of the *Residential Tenancies Act*, the respondent shall comply with his obligation to report the household income in accordance with the tenancy agreement.
3. 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 19th day of July, 2008.

Hal Logsdon  
Rental Officer

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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:

**LUTSEL K'E HOUSING AUTHORITY**

Applicant/Landlord

-and-

**MICHEAL SANDERSON**

Respondent/Tenant

**REASONS FOR DECISION**

**Date of the Hearing:** July 16, 2008

**Place of the Hearing:** Lutselk'e, NT

**Appearances at Hearing:** Mary Rose Casaway, representing the applicant

**Date of Decision:** July 16, 2008

**REASONS FOR DECISION**

The respondent was served with a Notice of Attendance sent by registered mail. The application was served by registered mail and confirmed delivered. The respondent failed to appear at the hearing and the hearing was held in his absence. In my opinion it is reasonable to deem the Notice of Attendance served pursuant to section 71(2) of the *Residential Tenancies Act*.

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

The applicant provided a copy of the tenant ledger in evidence which indicated a balance of rent in the amount of \$5542. The full unsubsidized rent has been charged in April, May, June and July, 2008. The applicant testified that the respondent was to report the household income to the landlord rather than the subsidy agent but failed to report any income information. Article 6 of the tenancy agreement obligates the tenant to report the household income

I find the ledger in order and find the respondent in breach of his obligation to pay rent and his obligation to report the household income. I find the application of the full unsubsidized rent reasonable. I find the rent arrears to be \$5542.

An order shall issue requiring the respondent to pay the applicant rent arrears in the amount of

\$5542, comply with his obligation to report the household income in accordance with the tenancy agreement and to pay future rent on time.

Hal Logsdon  
Rental Officer

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