

IN THE MATTER between **YELLOWKNIVES DENE FIRST NATION HOUSING DIVISION**, Applicant, and **RACHEL GOULET AND AUSTIN DELORME**, 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 **NDILO, NT**.

BETWEEN:

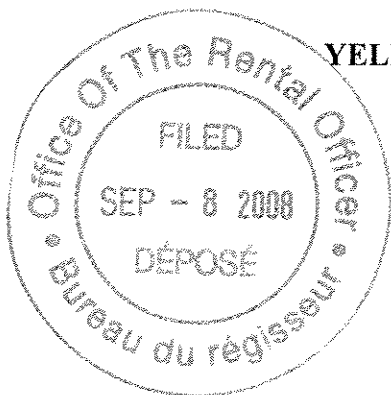
**YELLOWKNIVES DENE FIRST NATION HOUSING DIVISION**

Applicant/Landlord

- and -

**RACHEL GOULET AND AUSTIN DELORME**

Respondents/Tenants

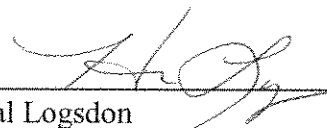


**ORDER**

IT IS HEREBY ORDERED:

1. Pursuant to sections 41(4)(a) and 83(2) of the *Residential Tenancies Act*, the previous order (File #10-9274, filed on January 29, 2007) is rescinded and the respondents shall pay the applicant rent arrears in the amount of thirty eight thousand nine hundred seventy five dollars and five cents (\$38,975.05).
2. Pursuant to section 41(4)(b) of the *Residential Tenancies Act*, the respondents shall pay future rent on time.

DATED at the City of Yellowknife, in the Northwest Territories this 5th day of September, 2008.

  
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Hal Logsdon  
Rental Officer

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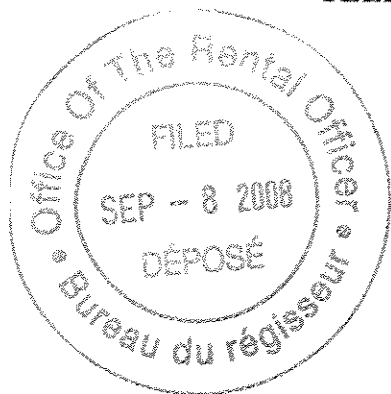
**YELLOWKNIVES DENE FIRST NATION HOUSING DIVISION**

Applicant/Landlord

-and-

**RACHEL GOULET AND AUSTIN DELORME**

Respondents/Tenants



**REASONS FOR DECISION**

<b><u>Date of the Hearing:</u></b>	<b>September 2, 2008</b>
<b><u>Place of the Hearing:</u></b>	<b>Yellowknife, NT</b>
<b><u>Appearances at Hearing:</u></b>	<b>Stephan Folkers, representing the applicant Rachel Goulet, respondent Austin Delorme, respondent</b>
<b><u>Date of Decision:</u></b>	<b>September 2, 2008</b>

### **REASONS FOR DECISION**

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 to pay future rent on time.

The applicant provided a copy of the tenant ledger in evidence which indicated a balance of rent owing in the amount of \$38,975.05. The ledger indicates that the full unsubsidized rent was charged in every month from July, 2006 to present. An e-mail from the subsidy agent indicated that the respondents had not reported income on which to calculate a subsidized rent since June, 2006.

The respondents did not dispute the allegations.


I find the application of the full unsubsidized rent after June, 2006 to be reasonable as the evidence suggests that no income information was provided by the respondents.

A previous order (file #10-9274, filed on January 29, 2007) required the respondent Rachel Goulet to pay rent arrears and to pay future rent on time. The full unsubsidized rent was charged in a number of months due to the failure of the respondent to report the household income. Since the issuance of that order no rent has been paid and no income has been reported. The landlord has not filed the previous order in the Court. It would appear from the tenancy agreements

provided in evidence that all of the current rent arrears have accrued from the same tenancy agreement between the applicant and Rachel Goulet and Austin Delorme for Apartment #4, Sikyea Apartments, Ndilo, NT.

I find the respondents in breach of their obligation to pay rent and find the rent arrears to be \$38,975.05. Rather than issue multiple orders, I shall rescind the previous order and issue one order for the entire amount, payable by the joint tenants.

An order shall issue rescinding the previous order and ordering the respondents to pay the applicant rent arrears in the amount of \$38,975.05 and to pay future rent on time.



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Hal Logsdon  
Rental Officer