

IN THE MATTER between **TUKTOYAKTUK HOUSING ASSOCIATION**,
Applicant, and **ROBERT ANIKINA**, 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 **TUKTOYAKTUK, NT**.

BETWEEN:

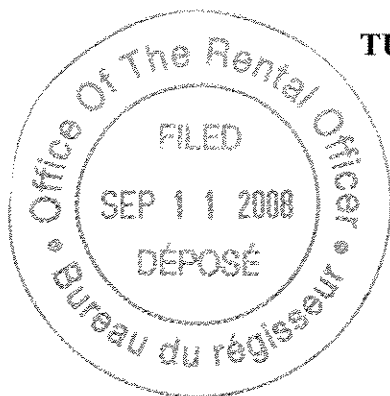
TUKTOYAKTUK HOUSING ASSOCIATION

Applicant/Landlord

- and -

ROBERT ANIKINA

Respondent/Tenant

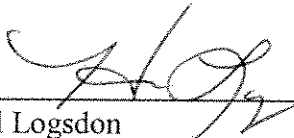


ORDER

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 six thousand four hundred forty two dollars and seventy eight cents (\$6442.78).
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 Unit 174, Tuktoyaktuk, NT shall be terminated on October 31, 2008 and the respondent shall vacate the premises on that date unless rent arrears in the amount of six thousand four hundred forty two dollars and seventy eight cents (\$6442.78) are paid in full.

DATED at the City of Yellowknife, in the Northwest Territories this 11th day of
September, 2008.



Hal Logsdon
Rental Officer

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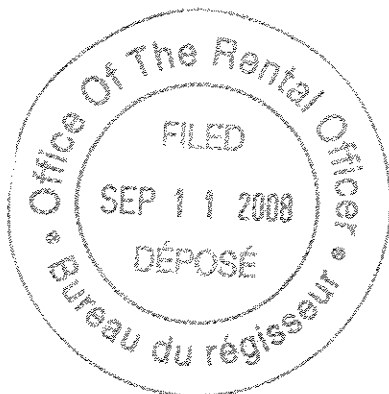
TUKTOYAKTUK HOUSING ASSOCIATION

Applicant/Landlord

-and-

ROBERT ANIKINA

Respondent/Tenant



REASONS FOR DECISION

<u>Date of the Hearing:</u>	September 9, 2008
<u>Place of the Hearing:</u>	Tuktoyaktuk, NT
<u>Appearances at Hearing:</u>	Lucille Pokiak, representing the applicant
<u>Date of Decision:</u>	September 9, 2008

REASONS FOR DECISION

The respondent was served with a Notice of a Attendance sent by registered mail. The Tuktoyaktuk postmaster confirmed that the respondent had picked up the notice. The respondent failed to appear at the hearing and the hearing was held in his absence.

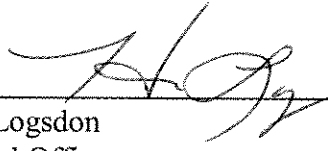
The applicant alleged that the respondent had breached the tenancy agreement by failing to pay rent and sought an order requiring the respondent to pay the alleged rent arrears and termination of the tenancy agreement unless the arrears were paid in full. The premises are subsidized public housing.

The applicant provided a copy of the tenant ledger in evidence which indicated a balance of rent owing in the amount of \$6442.78. The full unsubsidized rent of \$1470 has been applied for the months of July and August, 2008. The applicant stated that the respondent had failed to report any income on which to calculate a subsidized rent for those months. I have confirmed this with the subsidy agent.

I find the ledger in order and find the tenant in breach of his obligation to pay rent. I find the application of the full unsubsidized rent to be reasonable but note that the rent for July and August, 2008 will be adjusted in accordance with the respondent's household income if he complies with his obligation to report the household income. I find the rent arrears to be \$6442.78. In my opinion, there are sufficient grounds to terminate the tenancy agreement unless

the rent arrears are paid. The applicant suggested October 31, 2008 as an appropriate date. In my opinion, that is reasonable.

An order shall issue requiring the respondent to pay the applicant rent arrears in the amount of \$6442.78 and terminating the tenancy agreement on October 31, 2008 unless that amount is paid in full.



Hal Logsdon
Rental Officer