

IN THE MATTER between **ULUKHAKTOK HOUSING ASSOCIATION**, Applicant,
and **JULIA EPAKOHAK**, 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 **ULUKHAKTOK, NT.**

BETWEEN:

ULUKHAKTOK HOUSING ASSOCIATION

Applicant/Landlord

- and -

JULIA EPAKOHAK

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 two thousand nine hundred ninety two dollars (\$2992.00).
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 8th day of October,
2008.

Hal Logsdon
Rental Officer

IN THE MATTER between **ULUKHAKTOK HOUSING ASSOCIATION**, Applicant,
and **JULIA EPAKOHAK**, 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:

ULUKHAKTOK HOUSING ASSOCIATION

Applicant/Landlord

-and-

JULIA EPAKOHAK

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: September 30, 2008

Place of the Hearing: Ulukhaktok, NT, via teleconference

Appearances at Hearing: Karen Kitekudlak, representing the applicant

Date of Decision: September 30, 2008

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 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 owing in the amount of \$5609. The full unsubsidized rent of \$2617 was applied in the months of July and September, 2008. A memo from the subsidy agent, provided in evidence, indicates that the respondent did not report any income on which to base the September, 2008 rent. The applicant stated that she understood that the respondent had reported the household income on which to base the July, 2008 rent but the information had been lost by the subsidy agent and the landlord's subsidy payment was not provided to them.

Article 6 of the tenancy agreement obligates the tenant to provide household income information to the subsidy agent and Article 7 of the agreement obligates the landlord to calculate a rent subsidy in accordance with the GNWT Public Housing Rental Subsidy Program provided the income information is received. I can not find the respondent in breach of her obligations pursuant to Article 6 and therefore find the application of the full unsubsidized rent to be

inappropriate. I am not able to determine from the evidence what the July, 2008 rent should be.

Ignoring the July, 2008 rent, I find rent arrears of \$2992, calculated as follows:

Balance as per ledger	\$5609
Less July/08 rent	<u>(2617)</u>
Rent arrears	\$2992

I find the respondent in breach of her obligation to pay rent. An order shall issue requiring the respondent to pay the applicant rent arrears in the amount of \$2992 and to pay the monthly rent on time in the future.

Hal Logsdon
Rental Officer