

IN THE MATTER between **YELLOWKNIFE HOUSING AUTHORITY**, Applicant,
and **BRENDA DRYBONES**, Respondent;

AND IN THE MATTER of the **Residential Tenancies Act** R.S.N.W.T. 1988, Chapter
R-5 (the "Act") and amendments thereto;

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 -

BRENDA DRYBONES

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 nine thousand eight hundred sixty nine dollars and seventy nine cents (\$9869.79).

DATED at the City of Yellowknife, in the Northwest Territories this 1st day of February,
2012.

Hal Logsdon
Rental Officer

IN THE MATTER between **YELLOWKNIFE HOUSING AUTHORITY**, Applicant,
and **BRENDA DRYBONES**, 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-

BRENDA DRYBONES

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: January 31, 2012

Place of the Hearing: Yellowknife, NT

Appearances at Hearing: Ella Newhook, representing the applicant
Brenda Drybones, respondent
Faith Woodruff, representing the respondent

Date of Decision: January 31, 2012

REASONS FOR DECISION

This matter was scheduled to be heard on February 3, 2012 but was rescheduled for January 31, 2012 at the request of the respondent and with the applicant's agreement.

The tenancy agreement between the parties was terminated on December 31, 2011 by the landlord's notice for non-payment of rent and failure to report income. The respondent remains in possession of the premises. The applicant sought an order requiring the respondent to pay the alleged rent arrears and an eviction order. The premises are subsidized public housing.

The tenancy agreement between the parties was renewed as a monthly agreement on October 1, 2010. On November 18, 2011 the applicant served a notice of termination on the respondent for non-payment of rent and failure to report the household income. The notice was provided in evidence along with a statement of the rent account. The statement indicates a balance of rent owing in the amount of \$9869.79. The full unsubsidized rent has been applied in January, 2012.

The applicant stated that the respondent had previously failed to report the household income and had indicated that she was not working when, in fact, she was employed. The applicant stated that in November, 2011 the respondent was confronted with evidence of her employment and complied with her obligation to report income, resulting in the re-assessment of rents since March, 2011 and a large balance of rent owing.

The respondent did not dispute the allegations and stated that she intended to pay the arrears. She also stated that the several repair costs showing on the statement (which have been paid and are not an issue) were due to damages that her husband caused.

I find the statement in order and find the respondent in breach of her obligation to pay rent. I find the application of the full unsubsidized rent in January, 2012 to be reasonable as the tenancy agreement was terminated in accordance with the Act on December 31, 2011. I find the rent arrears to be \$9869.79.

An order shall issue requiring the respondent to pay the applicant rent arrears in the amount of \$9869.79. An eviction order shall be issued separately.

Hal Logsdon
Rental Officer