

IN THE MATTER between **LUTSEL K'E HOUSING AUTHORITY**, Applicant, and
DAN CLARKE AND LISA CLARKE, Respondents;

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 **LUTSEL K'E, NT.**

BETWEEN:

LUTSEL K'E HOUSING AUTHORITY

Applicant/Landlord

- and -

DAN CLARKE AND LISA CLARKE

Respondents/Tenants

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to section 41(4)(a) of the *Residential Tenancies Act*, the respondents shall pay the applicant rent arrears in the amount of seventeen thousand one hundred five dollars (\$17,105.00).
2. Pursuant to section 41(4)(b) of the *Residential Tenancies Act*, the respondents shall pay future rent on time.
3. Pursuant to section 45(4)(a) of the *Residential Tenancies Act*, the respondents shall comply with their obligation to report the household income in accordance with Article 6

of the tenancy agreement.

DATED at the City of Yellowknife, in the Northwest Territories this 3rd day of
December, 2012.

Hal Logsdon
Rental Officer

IN THE MATTER between **LUTSEL K'E HOUSING AUTHORITY**, Applicant, and
DAN CLARKE AND LISA CLARKE, 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.

BETWEEN:

LUTSEL K'E HOUSING AUTHORITY

Applicant/Landlord

-and-

DAN CLARKE AND LISA CLARKE

Respondents/Tenants

REASONS FOR DECISION

Date of the Hearing: November 8, 2012

Place of the Hearing: Yellowknife, NT via teleconference

Appearances at Hearing: Prairie Desjarlais, representing the applicant
Dan Clarke, respondent
Lisa Clarke, respondent

Date of Decision: November 8, 2012

REASONS FOR DECISION

The applicant alleged that the respondents had breached the tenancy agreement by failing to pay rent and by failing to report the household income in accordance with the tenancy agreement.

The applicant sought an order requiring the respondents to pay the alleged rent arrears, pay future rent on time and to comply with their obligation to report the household income. The premises are subsidized public housing.

The applicant provided a statement of the rent account in evidence which indicated a balance of rent owing in the amount of \$17,105. The full unsubsidized rent has been applied in April, 2012 and in each month thereafter. The applicant stated that they had not been provided with any income information to enable them to calculate a subsidized rent for those months.

The respondents did not dispute the allegations.

Article 6 of the tenancy agreement obligates the tenant to report income.

6. Tenant's Income

The Tenant promises to provide a subsidy agent appointed by the Landlord with an accurate report of the Tenant's income, the income of any occupant of the Premises, the size of the Tenant's family, and the number of occupants residing on the Premises, whenever, and as often as, the subsidy agent requests such a report. All reporting by the Tenant must be in the form prescribed by the subsidy agent.

I find the statement in order and find rent arrears of \$17,105. I find the application of the full

unsubsidized rent to be reasonable but note that the landlord is obligated to adjust the rents from April to November, 2012 as required, should the respondents report the household income.

An order shall issue requiring the respondents to pay the applicant rent arrears of \$17,105, pay future rent on time, and comply with their obligation to report the household income in accordance with Article 6 of the tenancy agreement.

Hal Logsdon
Rental Officer