

IN THE MATTER between **HAMLET OF FORT LIARD SOCIAL HOUSING**,
Applicant, and **DERWIN KOTCHEA AND VICTORIA KLONDIKE**, 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 **FORT LIARD NT**.

BETWEEN:

HAMLET OF FORT LIARD SOCIAL HOUSING

Applicant/Landlord

- and -

DERWIN KOTCHEA AND VICTORIA KLONDIKE

Respondents/Tenants

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to sections 41(4)(a) and 83(2) of the *Residential Tenancies Act*, the respondents shall pay the applicant rent arrears in the amount of two thousand five hundred sixty six dollars (\$2566.00). The respondents shall pay the rent arrears in monthly payments of three hundred dollars (\$300.00) payable on the last day of every month until the rent arrears are paid in full. The first payment of arrears shall be due on December 31, 2012.
2. Pursuant to section 41(4)(b) of the *Residential Tenancies Act*, the respondents shall pay the monthly rent on time.

DATED at the City of Yellowknife, in the Northwest Territories this 10th day of
December, 2012.

Hal Logsdon
Rental Officer

IN THE MATTER between **HAMLET OF FORT LIARD SOCIAL HOUSING**,
Applicant, and **DERWIN KOTCHEA AND VICTORIA KLONDIKE**, 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:

HAMLET OF FORT LIARD SOCIAL HOUSING

Applicant/Landlord

-and-

DERWIN KOTCHEA AND VICTORIA KLONDIKE

Respondents/Tenants

REASONS FOR DECISION

Date of the Hearing: November 27, 2012

Place of the Hearing: Fort Liard, NT via teleconference

Appearances at Hearing: Ellen McLeod, representing the applicant
Derwin Kotchea, respondent
Victoria Klondike, respondent

Date of Decision: November 27, 2012

REASONS FOR DECISION

The applicant alleged that the respondents breached the tenancy agreement by failing to pay rent. The applicant sought an order requiring the respondents to pay the alleged rent arrears and terminating the tenancy agreement and evicting the respondents. The premises are subsidized public housing.

The applicant provided a statement of the rent account which indicated a balance owing as at November 23, 2012 of \$5459. The applicant stated that since that date the respondents had paid \$300 bringing the balance owing to \$5159. The applicant stated that all of the rent was based on the household income of the respondents

The respondents did not dispute the allegations and proposed to pay the monthly rent plus an additional \$300/month until the rent arrears were paid in full. The applicant accepted the offer and withdrew the request for an order terminating the tenancy agreement and evicting the respondents.

I find the respondents in breach of their obligation to pay rent and find rent arrears of \$5159. A previous order (file #10-12894, filed on June 28, 2012) ordered the respondents to pay rent arrears of \$4793. Since the issuance of that order \$2200 has been paid leaving an unsatisfied balance of \$2593. Since the issuance of the previous order rents totalling \$2566 have come due. Taking into consideration the unsatisfied balance of the previous order I shall issue an additional

order for \$2566.

An order shall issue requiring the respondents to pay the monthly rent on time and to pay the rent arrears in monthly payments of \$300 payable on the last day of every month until the rent arrears are paid in full. The first payment of arrears shall be due on December 31, 2012.

If the respondents fail to pay the monthly rent on time or fail to pay the ordered monthly payments of arrears, the applicant may file another application seeking the full payment of any remaining balance of arrears, termination of the tenancy agreement and the eviction of the respondents.

Hal Logsdon
Rental Officer