

IN THE MATTER between **FORT RESOLUTION HOUSING AUTHORITY**,
Applicant, and **FREDDIE EDWARD COLLINS**, 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:

FORT RESOLUTION HOUSING AUTHORITY

Applicant/Landlord

- and -

FREDDIE EDWARD COLLINS

Respondent/Tenant

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to sections 41(4)(a) and 83(2) of the *Residential Tenancies Act*, the respondent shall pay the applicant rent arrears in the amount of nineteen thousand two hundred nineteen dollars (\$19,219.00). The arrears shall be paid in monthly installments 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 shall be due on September 30, 2013.
2. Pursuant to section 45(4)(a) of the *Residential Tenancies Act*, the respondent shall comply with his obligation to report the household income by providing income information for December, 2012, January, 2013, February, 2013 and July, 2013.

3. 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 12th day of September, 2013.

Hal Logsdon
Rental Officer

IN THE MATTER between **FORT RESOLUTION HOUSING AUTHORITY**,
Applicant, and **FREDDIE EDWARD COLLINS**, 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:

FORT RESOLUTION HOUSING AUTHORITY

Applicant/Landlord

-and-

FREDDIE EDWARD COLLINS

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: August 27, 2013

Place of the Hearing: Fort Resolution, NT via teleconference

Appearances at Hearing: Abhisek Dahr, representing the applicant
Edward Balsillie, representing the respondent

Date of Decision: August 27, 2013

REASONS FOR DECISION

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

The applicant provided a statement of the rent account which indicated a balance of rent owing in the amount of \$19,219. The full unsubsidized rent of \$1545 has been charged in January, February, March and August, 2013. The applicant stated that the unsubsidized rent has been applied because the respondent failed to report any income information for the previous months to enable the calculation of a subsidized rent.

The respondent's representative did not dispute the allegations and stated that the respondent would be able to pay the monthly rent plus an additional \$300 each month until the rent arrears were paid. He also stated that the respondent would report the missing income information. The applicant withdrew their request for an order terminating the tenancy agreement.

I find the respondent in breach of his obligation to pay rent and his obligation to report the household income. I find the application of the full unsubsidized rent to be reasonable but note that if the respondent reports the household income, the applicant is obligated to adjust the rent accordingly. I find the current rent arrears to be \$19,219.

An order shall issue requiring the respondent to pay the monthly rent on time and to pay the rent arrears in monthly installments of \$300 payable on the last day of every month until the rent arrears are paid in full. The first payment shall be due on September 30, 2013. The order shall also require the respondent to report the household income for December, 2012 and January, February and July, 2013.

Should the respondent fail to pay the rent arrears in accordance with this order or fail to pay the monthly rent on time, the applicant may file another application seeking the lump sum payment of any remaining balance and termination of the tenancy agreement.

This decision was made known to the parties at the conclusion of the hearing.

Hal Logsdon
Rental Officer