

IN THE MATTER between **PAULATUK HOUSING ASSOCIATION**, Applicant, and **TONY GREEN AND MARY GREEN**, 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 **PAULATUK, NT**.

BETWEEN:

PAULATUK HOUSING ASSOCIATION

Applicant/Landlord

- and -

TONY GREEN AND MARY GREEN

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 twenty three thousand ninety six dollars and ninety six cents (\$23,096.96).
2. Pursuant to section 41(4)(b) of the *Residential Tenancies Act*, the respondents shall pay future rent on time.

DATED at the City of Yellowknife, in the Northwest Territories this 2nd day of January, 2014.

Hal Logsdon
Rental Officer

IN THE MATTER between **PAULATUK HOUSING ASSOCIATION**, Applicant, and **TONY GREEN AND MARY GREEN**, 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:

PAULATUK HOUSING ASSOCIATION

Applicant/Landlord

-and-

TONY GREEN AND MARY GREEN

Respondents/Tenants

REASONS FOR DECISION

Date of the Hearing: **October 23, 2013**

Place of the Hearing: **Paulatuk, NT**

Appearances at Hearing: **Marjorie Hansen, representing the applicant**
Eileen Ruben, representing the applicant
Tony Green, respondent
Mary Green, respondent

Date of Decision: **December 30, 2013**

REASONS FOR DECISION

The applicant alleged that the respondents had breached the tenancy agreement by failing to pay rent. The applicant sought an order requiring the respondents to pay the alleged rent arrears and to pay future rent on time. The rental 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 \$51,880.96. The applicant stated that the full unsubsidized rent had been applied in every month from April, 2012 to present because the respondents had not provided any household income information to permit the calculation of a subsidized rent. However, the applicant stated that to the best of their knowledge the respondents received only pension income which would entitle them to the minimum rent for those months. Recalculating the rents based on that information would result in arrears of \$23,096.96 calculated as follows:

Rent arrears as per ledger	\$51,880.96
Less rent assessed for May and June/12 @ \$3424/mo.	(6,848.00)
Less rent assessed for July/12 to October/13 @ \$1445/mo.	(23,120.00)
Rent reassessed for May and June/12 @ \$32/mo.	64.00
Rent reassessed for July/12 to October/13 @ \$70/mo.	<u>1,120.00</u>
Total	\$23,096.96

The respondents did not dispute the allegations or the recalculation of the rent.

On December 5, 2013 the applicant advised the rental officer that the respondents had provided the missing income information and the rents had been adjusted accordingly resulting in a balance owing of \$26,201.96 as at the date of the hearing. It appears that there was some income

earned other than just pension income. Although the revised calculations appear to be in order, the respondents have not had an opportunity to question the applicant about the reassessments. Therefore, I shall issue an order requiring the respondents to pay the applicant \$23,096.96 and grant leave to the applicant to file another application for the remaining arrears if that should become necessary. The order shall also require the respondents to pay future rent on time.

Hal Logsdon
Rental Officer