

IN THE MATTER between **YELLOWKNIFE HOUSING AUTHORITY**, Applicant,
and **SHEENA YAKELEYA**, 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 -

SHEENA YAKELEYA

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 eleven thousand ninety six dollars and sixty three cents (\$11,096.63).
2. Pursuant to sections 41(4)(c) and 83(2) of the *Residential Tenancies Act*, the tenancy agreement between the parties for the premises known as Apartment 2, 5605 - 50th Avenue, Yellowknife, NT shall be terminated on March 31, 2014 and the respondent shall vacate the premises on that date, unless at least six thousand five hundred dollars (\$6500.00) of the rent arrears has been paid.

3. Pursuant to section 41(4)(b) of the *Residential Tenancies Act*, the respondent shall pay future rent on time.
4. Pursuant to section 45(4)(a) and 45(4)(b) of the *Residential Tenancies Act*, the respondent shall comply with her obligation to report the household income in accordance with the tenancy agreement and shall not breach that obligation again.

DATED at the City of Yellowknife, in the Northwest Territories this 18th day of February, 2014.

Hal Logsdon
Rental Officer

IN THE MATTER between **YELLOWKNIFE HOUSING AUTHORITY**, Applicant,
and **SHEENA YAKELEYA**, 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-

SHEENA YAKELEYA

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: January 29, 2014

Place of the Hearing: Yellowknife, NT

Appearances at Hearing: Ella Newhook, representing the applicant
Sheena Yakeleya, respondent
Roland Catholique, witness for the respondent

Date of Decision: January 29, 2014

REASONS FOR DECISION

The applicant alleged that the respondent had breached the tenancy agreement by failing to pay rent and by failing to report the household income. 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 in evidence which indicated a balance of rent owing of \$11,096.63. The statement shows that the full unsubsidized rent had been frequently charged and subsequently adjusted to a subsidized rent based on the household income. The applicant testified that the full unsubsidized rent had been applied because the respondent had failed to provide any income information. She stated that all of the rents had now been adjusted in accordance with reported income.

The applicant stated that they would be willing to continue the tenancy agreement if at least \$6500 of the rent arrears were paid on or before March 31, 2014.

The respondent did not dispute the allegations and stated that she would pay the \$6500 and make arrangements with the landlord to pay the remainder in an orderly fashion.

I find the respondent in breach of her obligation to pay rent and her obligation to report the household income in accordance with the tenancy agreement. I find the rent arrears to be

\$11,096.63. In my opinion, there are sufficient grounds to terminate the tenancy agreement on March 31, 2014 unless at least \$6500 of the rent arrears have been paid.

An order shall issue requiring the respondent to pay the applicant rent arrears in the amount of \$11,096.63 and terminating the tenancy agreement on March 31, 2014 unless at least \$6500 of the rent arrears have been paid. The order shall also require the respondent to pay future rent on time and to report the household income in accordance with the tenancy agreement.

An eviction order to be effective on April 1, 2014 unless at least \$6500 of the rent arrears has been paid on or before March 31, 2014 shall be issued separately.

Hal Logsdon
Rental Officer