

IN THE MATTER between **YELLOWKNIFE HOUSING AUTHORITY**, Applicant,  
and **RICHARD ROBERTS AND BELLADONNA PAYNE**, 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 -

**RICHARD ROBERTS AND BELLADONNA PAYNE**

Respondent/Tenant

**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 two thousand two hundred eighty eight dollars and ninety seven cents (\$2288.97).
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 662 Williams Avenue, Yellowknife, NT shall be terminated on March 31, 2014 and the respondents shall vacate the premises on that date unless the rent arrears of two thousand two hundred eighty eight dollars and ninety seven cents (\$2288.97) are paid in full.

3. Pursuant to section 45(4)(b) of the *Residential Tenancies Act*, the respondents shall report the household income in accordance with the tenancy agreement in the future.

DATED at the City of Yellowknife, in the Northwest Territories this 25th day of February, 2014.

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Hal Logsdon  
Rental Officer

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and **RICHARD ROBERTS AND BELLADONNA PAYNE**, 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-

**RICHARD ROBERTS AND BELLADONNA PAYNE**

Respondent/Tenant

**REASONS FOR DECISION**

**Date of the Hearing:** February 19, 2014

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

**Appearances at Hearing:** Ella Newhook, representing the applicant  
Richard Roberts, respondent

**Date of Decision:** February 19, 2014

**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, terminating the tenancy agreement and evicting the respondents and requiring the respondents to report the household income in accordance with the tenancy agreement in the future. 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 \$2288.97. The statement included numerous entries of the unsubsidized rent with subsequent adjustments. The applicant stated that the respondents had repeatedly failed to provide any information regarding the household income as required by the tenancy agreement, resulting in the application of the full unsubsidized rent. The applicant stated that all of the unsubsidized rents had now been adjusted based on the reported household income and the approved rent scale.

The respondent did not dispute the allegations and stated that he would be able to pay the rent arrears in full on or before March 31, 2014. The applicant agreed to continue the tenancy agreement provided the rent arrears were paid by that date.

I find the statement in order and find the respondents in breach of their obligation to pay rent. I

find rent arrears of \$2288.97. I find that the respondents were previously in breach of their obligation to report the household income in accordance with the tenancy agreement. In my opinion, there are sufficient grounds to terminate the tenancy agreement and evict the respondents unless the rent arrears are promptly paid.

An order shall issue requiring the respondents to pay the applicant rent arrears in the amount of \$2288.97 and terminating the tenancy agreement on March 31, 2014 unless those rent arrears are paid in full. The respondents are also ordered to not breach their obligation to report the household income in the future.

An eviction order to be effective of April 1, 2014 unless the rent arrears of \$2288.97 are paid on or before March 31, 2014 shall be issued separately.

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Hal Logsdon  
Rental Officer