

IN THE MATTER between **ULUKHAKTOK HOUSING ASSOCIATION**, Applicant,
and **SHAWN ALANAK**, 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 **ULUKHAKTOK, NT.**

BETWEEN:

ULUKHAKTOK HOUSING ASSOCIATION

Applicant/Landlord

- and -

SHAWN ALANAK

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 twenty seven thousand twenty dollars and thirty two cents (\$27,020.32).

DATED at the City of Yellowknife, in the Northwest Territories this 5th day of
September, 2014.

Hal Logsdon
Rental Officer

IN THE MATTER between **ULUKHAKTOK HOUSING ASSOCIATION**, Applicant,
and **SHAWN ALANAK**, 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:

ULUKHAKTOK HOUSING ASSOCIATION

Applicant/Landlord

-and-

SHAWN ALANAK

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: June 18, 2014, continued on June 19, 2014

Place of the Hearing: Ulukhaktok, NT

Appearances at Hearing: Marjorie Hansen, representing the applicant (by
telephone)
Sheila Nasogaluak, representing the applicant
Sadie Joss, representing the applicant

Date of Decision: June 19, 2014

REASONS FOR DECISION

The respondent was sent a Notice of Attendance by registered mail on May 22, 2014. At the time of the hearing there was no confirmation of receipt. In my opinion, it is not unreasonable to deem the notice served in accordance with section 71(5) of the *Residential Tenancies Act*. The respondent failed to appear at the hearing and the hearing was held in his absence.

The applicant provided a notice from the respondent dated June 17, 2014 stating that he would be “giving up” his unit as of that day. The matter was adjourned to the following day to permit the applicant to determine if the premises had been abandoned.

When the hearing continued on June 19, the applicant stated that she had confirmed that the tenant had moved to Inuvik and no longer lived in the premises. However. The respondent’s father and two brothers continue to occupy the premises. None of the three current occupants is a tenant although all three are recognized on the tenancy agreement as occupants.

The premises are subsidized public housing. Assignments are not permitted pursuant to the tenancy agreement and the right to assign does not apply to subsidized public housing.

The applicant alleged that the respondent had failed to pay rent and sought an order requiring the respondent to pay the alleged rent arrears. The applicant stated that they wished to proceed regarding the rent arrears and would consider filing a future application seeking eviction of the

occupants and repair costs if necessary.

The applicant provided a copy of the tenant ledger which indicated a balance of rent owing in the amount of \$27,020.32. The full unsubsidized rent has been assessed in May and June, 2014. The applicant testified that the respondent had failed to report any household information on which to calculate a subsidized rent for those months.

I find the ledger in order and find the respondent in breach of his obligation to pay rent. I find the application of the full unsubsidized rent to be reasonable. I find rent arrears of \$27,020.32. An order shall issue requiring the respondent to pay the applicant rent arrears of \$27,020.32.

Hal Logsdon
Rental Officer