

IN THE MATTER between **ULUKHAKTOK HOUSING ASSOCIATION**, Applicant,
and **BERNICE IRISH**, 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 -

BERNICE IRISH

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 thirty two thousand six hundred four dollars and twenty two cents (\$32,604.22).
2. Pursuant to sections 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.
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 5th day of
September, 2014.

Hal Logsdon
Rental Officer

IN THE MATTER between **ULUKHAKTOK HOUSING ASSOCIATION**, Applicant,
and **BERNICE IRISH**, 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-

BERNICE IRISH

Respondent/Tenant

REASONS FOR DECISION

<u>Date of the Hearing:</u>	June 18, 2014
<u>Place of the Hearing:</u>	Ulukhaktok, NT
<u>Appearances at Hearing:</u>	Marjorie Hansen, representing the applicant (by telephone) Sheila Nasogaluak, representing the applicant Sadie Joss, representing the applicant
<u>Date of Decision:</u>	August 28, 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 and the notice was returned to the rental office unclaimed on June 18, 2014. 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 her absence.

The applicant alleged that the respondent had breached the tenancy agreement by failing to pay rent and failing to report the household income in accordance with the tenancy agreement. The applicant sought an order requiring the respondent to pay the alleged rent arrears, comply with her obligation to report the household income and to pay the monthly rent on time. The premises are subsidized public housing.

The applicant provided a copy of the tenant ledger in evidence which indicated a balance of rent owing in the amount of \$32,604.22. The full unsubsidized rent has been assessed for fifteen months. The applicant testified that the unsubsidized rent had been charged because the respondent failed to provide any income information on which to calculate a subsidized rent.

I find the respondent in breach of her obligation to pay rent and find rent arrears of \$32,604.22. I find the application of the full unsubsidized rent to be reasonable. I also find the respondent in breach of her obligation to report the household income in accordance with the tenancy

agreement.

An order shall issue requiring the respondent to pay the applicant rent arrears of \$32,604.22, to comply with her obligation to report the household income and to pay future rent on time.

Hal Logsdon
Rental Officer