

IN THE MATTER between **YELLOWKNIFE HOUSING AUTHORITY**, Applicant,
and **HYE PAULETTE**, 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 -

HYE PAULETTE

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 one thousand two hundred ninety two dollars and six cents (\$1292.06).
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 792 Bigelow Crescent, Yellowknife, NT shall be terminated on October 31, 2014 and the respondent shall vacate the premises on that date unless the respondent pays the applicant at least nine hundred seventy one dollars (\$971.00) of the rent arrears on or before that date.

3. Pursuant to section 45(4)(b) of the *Residential Tenancies Act*, the respondent shall not breach her obligation to report the household income in accordance with the tenancy agreement in the future.
4. 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 15th day of October, 2014.

Hal Logsdon
Rental Officer

IN THE MATTER between **YELLOWKNIFE HOUSING AUTHORITY**, Applicant,
and **HYE PAULETTE**, 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-

HYE PAULETTE

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: **October 8, 2014**

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

Appearances at Hearing: **Ella Newhook, representing the applicant**

Date of Decision: **October 8, 2014**

REASONS FOR DECISION

The respondent was served with a Notice of Attendance sent by registered mail and confirmed delivered. 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. In December, 2013 the respondent promised to pay rent arrears in monthly installments and the parties executed a repayment agreement obligating the respondent to pay the monthly rent plus an additional \$155/month until the rent arrears were paid in full. The applicant stated that the respondent had breached that agreement. A statement of the rent account, provided in evidence indicated a balance of rent owing of \$1292.06. Had payments been made in accordance with the payment plan, the balance owing would be \$321.06, a difference of \$971.

The applicant also alleged that the respondent had previously failed to report the household income in accordance with the tenancy agreement. The premises are subsidized public housing and the monthly rent is calculated on the household income. The rent statement indicates that on several occasions the full unsubsidized rent had been applied due to the respondent's failure to provide any income information and subsequently adjusted when the income information was provided.

The applicant stated that they would be willing to continue the tenancy provided that the respondent paid the current \$971 shortfall on the payment agreement and continued to pay the

monthly rent and the additional \$155/month until the rent arrears were retired. In my opinion, that is a reasonable request in the circumstances.

I find the respondent in breach of her obligation to pay rent and find the rent arrears to be \$1292.06. An order shall issue requiring the respondent to pay the rent arrears of \$1292.06 and terminating the tenancy agreement on October 31, 2014 unless at least \$971 of the arrears is paid on or before that date. The respondent shall also be ordered to report the household income in accordance with the tenancy agreement and to pay rent on time in the future.

An eviction order to be effective on November 1, 2014 unless the \$971 payment is made on before October 31, 2014 shall be issued separately.

Hal Logsdon
Rental Officer