

IN THE MATTER between **NWT HOUSING CORPORATION**, Applicant, and
ELIZABETH YOUNG, 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 **WHATI, NT**.

BETWEEN:

NWT HOUSING CORPORATION

Applicant/Landlord

- and -

ELIZABETH YOUNG

Respondent/Tenant

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to sections 41(4)(a) and 83(2) of the *Residential Tenancies Act*, the respondent shall pay the applicant rent arrears in the amount of forty thousand two hundred ninety one dollars (\$40,291.00) in monthly installments of one hundred dollars (\$100.00), payable on the last day of every month until the rent arrears are paid in full. The first payment shall be due on April 30, 2015.
2. Pursuant to section 41(4)(b) of the *Residential Tenancies Act*, the respondent shall pay the monthly rent on time in the future.
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 again.

DATED at the City of Yellowknife, in the Northwest Territories this 9th day of April,
2015.

Hal Logsdon
Rental Officer

IN THE MATTER between **NWT HOUSING CORPORATION**, Applicant, and
ELIZABETH YOUNG, 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:

NWT HOUSING CORPORATION

Applicant/Landlord

-and-

ELIZABETH YOUNG

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: March 26, 2015

Place of the Hearing: Yellowknife, NT via teleconference

Appearances at Hearing: Michael Keohane, representing the applicant
Patricia Rabesca, witness for the applicant
Elizabeth Young, respondent

Date of Decision: March 26, 2015

REASONS FOR DECISION

The application named the respondent as "Elizabeth Young (Nitsiza)". The respondent stated that her legal name was "Elizabeth Young". The style of cause of the order has been amended to reflect the proper name of the respondent.

The applicant alleged that the respondent 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 respondent to pay the alleged rent arrears, pay the monthly rent on time in the future and not to breach her obligation to report the household income again. An order terminating the tenancy was also requested. The premises are subsidized public housing.

The applicant provided a statement of the rent account which indicated a balance of rent owing of \$40,291. The applicant stated that full unsubsidized rent had been charged previously because the respondent had failed to report any household income information permitting the calculation of a subsidized rent. The applicant stated that all of the rent assessments had now been adjusted based on the household income of the respondent.

The applicant withdrew the request to terminate the tenancy agreement and asked that the order permit the respondent to pay the rent arrears in monthly payments of \$100.

The respondent did not dispute the allegations and stated that she was now employed and could pay the monthly rent plus an additional \$100/month until the rent arrears were paid.

I find the statement in order and find the respondent in breach of her obligation to pay rent. I find the rent arrears to be \$40,291. I also find that the respondent has breached her obligation to report the household income in the past.

An order shall issue requiring the respondent to pay the applicant rent arrears in the amount of \$40,291 in monthly installments of \$100 payable on the last day of every month until the rent arrears are paid in full. The arrears payments shall be due on the last day of every month and the first payment shall be due on April 30, 2015. The respondent is also ordered to pay the monthly rent on time and to not breach her obligation to report the household income again.

Should the respondent fail to pay the monthly rent on time or fail to pay the rent arrears as ordered, the applicant may file another application seeking the full payment of any remaining balance and termination of the tenancy agreement.

Hal Logsdon
Rental Officer