

IN THE MATTER between **NTHC**, Applicant, and **IL**, 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:

**NTHC**

Applicant/Landlord

-and-

**IL**

Respondent/Tenant

**REASONS FOR DECISION**

<b><u>Date of the Hearing:</u></b>	<b>January 11, 2022</b>
<b><u>Place of the Hearing:</u></b>	<b>Yellowknife, Northwest Territories</b>
<b><u>Appearances at Hearing:</u></b>	<b>PS, representing the Applicant IL, Respondent</b>
<b><u>Date of Decision:</u></b>	<b>January 11, 2022</b>

### **REASONS FOR DECISION**

The parties entered into a six-month term tenancy agreement commencing on June 1, 2015, which was renewed on a monthly basis on expiry. The premises are subsidized public housing.

In January 2021 the Respondent was moved from 5457 - 52nd Street to 1467 Gitzel Street. The Applicant alleged that the Respondent damaged the 52nd Street premises and has failed to pay the full amount of rent for the Gitzel Street premises. The Applicant sought an order requiring the Respondent to pay the alleged rent arrears and compensation for the costs to repair the alleged damages to the 52nd Street premises.

The Respondent disputed the amount of rent alleged owing stating that the rent had not been assessed correctly. Emails provided by the Applicant indicate that the Respondent requested her rent to be assessed in October 2021 as her alimony payments had ceased earlier in the year. An email dated December 2, 2021, indicated that the Applicant requested certain income information from the Respondent and told her that the rent could not be reassessed until the requested information was provided.

Clearly the rent assessment has not been completed. At hearing, the Respondent appeared frustrated by the situation and perhaps somewhat confused at what documents were being sought by the Applicant.

Tenants in subsidized public housing are obligated to report the household income when requested and in a form specified by the Landlord. This is clearly set out in article 6 of the tenancy agreement. At hearing, I found no evidence that the outstanding income information requirements had been set out in writing. This would undoubtedly be helpful.

I am not prepared to issue an order pursuant to section 41 at this time as the balance of rent owing seems likely to change. An order shall issue requiring the Respondent to comply with her obligation to report the household income in accordance with the tenancy agreement. I suggest the Applicant set out clearly in writing what income information remains outstanding. The matters pertaining to rent arrears and the alleged damages to the 52nd Street premises are adjourned *sine die*.

---

Hal Logsdon  
Rental Officer