

IN THE MATTER between **TUKTOYAKTUK HOUSING ASSOCIATION**,
Applicant, and **DANIEL COCKNEY AND DENISE PANAKTALOK**, Respondents;

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,
regarding the rental premises at **TUKTOYAKTUK, NT**.

BETWEEN:

TUKTOYAKTUK HOUSING ASSOCIATION

Applicant/Landlord

- and -

DANIEL COCKNEY AND DENISE PANAKTALOK

Respondents/Tenants

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to section 41(4)(a) of the *Residential Tenancies Act*, the respondents shall pay the applicant rent arrears in the amount of seven thousand five hundred two dollars (\$7502.00).
2. Pursuant to section 84(2) of the *Residential Tenancies Act*, the respondents may pay the rent arrears in three equal installments of two thousand five hundred dollars and sixty seven cents (\$2500.67). The payments shall be due on October 31, November 30 and December 31, 2005.
3. Pursuant to section 41(4)(c) and 83(2) of the *Residential Tenancies Act*, the tenancy

agreement between the parties for the premises known as Unit 73, Tuktoyaktuk, NT shall be terminated on October 31, 2005 and the respondents shall vacate the premises on that date, unless the first installment of the rent arrears in the amount of two thousand five hundred dollars and sixty seven cents (\$2500.67) is paid in full.

DATED at the City of Yellowknife, in the Northwest Territories this 14th day of September, 2005.

Hal Logsdon
Rental Officer

IN THE MATTER between **TUKTOYAKTUK HOUSING ASSOCIATION**,
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AND IN THE MATTER of the **Residential Tenancies Act R.S.N.W.T. 1988**, Chapter
R-5 (the "Act");

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BETWEEN:

TUKTOYAKTUK HOUSING ASSOCIATION

Applicant/Landlord

-and-

DANIEL COCKNEY AND DENISE PANAKTALOK

Respondents/Tenants

REASONS FOR DECISION

<u>Date of the Hearing:</u>	September 13, 2005
<u>Place of the Hearing:</u>	Tuktoyaktuk, NT via teleconference
<u>Appearances at Hearing:</u>	Lucille Pokiak, representing the applicant
<u>Date of Decision:</u>	September 13, 2005

REASONS FOR DECISION

The respondents were served with Notices of Attendance on August 24, 2005, but failed to appear at the hearing. The hearing was held in their absence.

The applicant alleged that the respondents had breached the tenancy agreement by failing to pay rent and sought an order requiring the respondents to pay the alleged rent arrears and termination of the tenancy agreement. The applicant provided a copy of the tenant ledger which indicated a balance of rent owing in the amount of \$7502. No rent has been paid since June, 2005. The applicant has served several notices on the respondents demanding payment of the rent and offering to make arrangements for the payment of the arrears. The applicant stated that they would be satisfied to permit the tenancy to continue provided the rent arrears were paid in full by December 31, 2005.

I find the respondents in breach of their obligation to pay rent and find the rent arrears to be \$7502. In my opinion, there are sufficient grounds to terminate the tenancy agreement unless the arrears are paid in an orderly manner.

An order shall issue requiring the respondents to pay the applicant rent arrears in the amount of \$7502. The respondents may pay the rent arrears in three installments of \$2500.67, due on October 31, November 30 and December 31, 2005. Should the first installment not be paid in full

by October 31, 2005, the tenancy agreement shall be terminated and the respondents shall vacate the premises.

Hal Logsdon
Rental Officer