

IN THE MATTER between **TUKTOYAKTUK HOUSING ASSOCIATION**,
Applicant, and **GLENNA EMAGHOK**, 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,
regarding the rental premises at **TUKTOYAKTUK, NT**.

BETWEEN:

TUKTOYAKTUK HOUSING ASSOCIATION

Applicant/Landlord

- and -

GLENNA EMAGHOK

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 twelve thousand five hundred sixty seven dollars (\$12,567.00).
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 Unit 124, Tuktoyaktuk, NT shall be terminated on November 30, 2007 and the respondent shall vacate the premises on that date, unless the rent arrears in the amount of twelve thousand five hundred sixty seven dollars (\$12,567.00) are paid in full.

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 31st day of October, 2007.

Hal Logsdon
Rental Officer

REASONS FOR DECISION

The applicant alleged that the respondent had breached the tenancy agreement by failing to pay rent and sought an order requiring the respondent to pay the alleged rent arrears and terminating the tenancy agreement unless the rent arrears were paid in full.

The applicant provided a copy of the tenant rent ledger which indicated a balance of rent owing in the amount of \$12,567. The full unsubsidized rent of \$1493 has been applied for the months of July, August and September, 2007. The applicant stated that the respondent had failed to report any income to the Income Security Officer in order to determine the rent for these months. She stated that a copy of the report provided by the Income Security Officer indicated that the assistance had been declined by the respondent meaning that the respondent had failed to report any income.

The respondent's representative did not dispute the allegations and stated that he did not know if the household income had been reported.

I find the rent ledger in order and find the respondent in breach of her obligation to pay rent. I find the application of the full unsubsidized rent to be reasonable and find the rent arrears to be \$12,567. Should the respondent report the household income in accordance with the tenancy agreement, the applicant shall adjust the rent owing accordingly.

In my opinion, there are sufficient grounds to terminate the tenancy agreement unless the rent arrears are promptly paid. Only one payment of \$32 has been made in the past twelve months.

An order shall issue requiring the respondent to pay the applicant rent arrears in the amount of \$12,567. The tenancy agreement between the parties shall be terminated by order on November 30, 2007 unless the rent arrears in the amount of \$12,567 are paid in full. Should the tenancy agreement continue, the respondent is also ordered to pay future rent on time.

Hal Logsdon
Rental Officer