

IN THE MATTER between **TULITA HOUSING ASSOCIATION**, Applicant, and
DEAN DOCTOR AND DAWN WIDOW, 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 **TULITA, NT**.

BETWEEN:

TULITA HOUSING ASSOCIATION

Applicant/Landlord

- and -

DEAN DOCTOR AND DAWN WIDOW

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 twenty four thousand five hundred eighty five dollars (\$24,585.00).
2. 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 0074, Tulita, NT shall be terminated on November 21, 2008 and the respondents shall vacate the premises on that date unless the rent arrears in the amount of twenty four thousand five hundred eighty five dollars (\$24,585.00) are paid in full.

3. Pursuant to section 41(4)(b) of the *Residential Tenancies Act*, the respondents shall pay future rent on time.

DATED at the City of Yellowknife, in the Northwest Territories this 28th day of October, 2008.

Hal Logsdon
Rental Officer

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BETWEEN:

TULITA HOUSING ASSOCIATION

Applicant/Landlord

-and-

DEAN DOCTOR AND DAWN WIDOW

Respondents/Tenants

REASONS FOR DECISION

Date of the Hearing: **October 28, 2008**

Place of the Hearing: **Tulita, NT via teleconference**

Appearances at Hearing: **Helen Squirrel, representing the applicant**
 Lee-Ann Yakeleya, witness for the applicant

Date of Decision: **October 28, 2008**

REASONS FOR DECISION

The respondents were served with Notices of Attendance sent by registered mail and confirmed delivered. The respondents failed to appear at the hearing and 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 terminating the tenancy agreement. The premises are subsidized public housing.

The applicant provided a copy of the tenant ledger in evidence which indicated a balance of rent owing in the amount of \$24,585. The full unsubsidized rent of \$1636 has been assessed for the month of September, 2008. The applicant's witness, the subsidy agent, testified that the full unsubsidized rent was assessed for September, 2008 because the respondents failed to provide any household income information on which to calculate a subsidized rent.

I find the ledger in order and find the application of the full unsubsidized rent to be reasonable. I find the rent arrears to be \$24,585. In my opinion, there are sufficient grounds to terminate the tenancy agreement unless the rent arrears are paid in full.

An order shall issue requiring the respondents to pay the applicant rent arrears in the amount of \$24,585 and terminating the tenancy agreement on November 21, 2008 unless those arrears are

paid in full. Should the tenancy agreement continue, the respondents are also ordered to pay future rent on time.

Hal Logsdon
Rental Officer