

IN THE MATTER between **TULITA HOUSING ASSOCIATION**, Applicant, and  
**WILBERT MENACHO**, 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 **TULITA, NT**.

BETWEEN:

**TULITA HOUSING ASSOCIATION**

Applicant/Landlord

- and -

**WILBERT MENACHO**

Respondent/Tenant

**ORDER**

IT IS HEREBY ORDERED:

1. Pursuant to sections 41(4)(a) and 84(3) of the *Residential Tenancies Act*, the previous order (file #20-9591, filed on July 27, 2007) is rescinded and the respondent shall pay the applicant rent arrears in the amount of twenty nine thousand two hundred fifty six dollars (\$29,256.00).

DATED at the City of Yellowknife, in the Northwest Territories this 30th day of October,  
2008.

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Hal Logsdon  
Rental Officer

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R-5 (the "Act");

AND IN THE MATTER of a Hearing before **Hal Logsdon**, Rental Officer.

BETWEEN:

**TULITA HOUSING ASSOCIATION**

Applicant/Landlord

-and-

**WILBERT MENACHO**

Respondent/Tenant

**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**  
   **Wilbert Menacho, respondent**

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

**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. 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 \$29,256. The full unsubsidized rent has been applied in September and October, 2008. The applicant's witness testified that the rents for those months were based on household income reported by the respondent.

The respondent did not dispute the allegations and stated that he had intended to apply his residential school settlement to the arrears but this did not occur.

A previous order (file #20-9591, filed on July 27, 2007) required the respondent to pay rent arrears in monthly installments and to pay the monthly rent on time. This order has been breached.

The applicant withdrew the request for an order to terminate the tenancy agreement in favour of an order rescinding the previous order and ordering the payment of the balance in lump sum.

I find the ledger in order and find the respondent in breach of his obligation to pay rent. I find the

rent arrears to be \$29,256. An order shall issue rescinding the previous order and ordering the respondent to pay the balance of \$29,256 to the applicant.

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Hal Logsdon  
Rental Officer