

IN THE MATTER between **NORTH SLAVE HOUSING CORPORATION**,  
Applicant, and **MABEL LOUTITT**, 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 **YELLOWKNIFE, NT**.

BETWEEN:

**NORTH SLAVE HOUSING CORPORATION**

Applicant/Landlord

- and -

**MABEL LOUTITT**

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 two thousand six hundred seventy nine dollars (\$2679.00).
2. Pursuant to section 41(4)(c) of the *Residential Tenancies Act*, the tenancy agreement between the parties for the premises known as 5015 Forrest Drive, Yellowknife, NT shall be terminated on March 31, 2009 and the respondent shall vacate the premises on that date.

DATED at the City of Yellowknife, in the Northwest Territories this 12th day of March,  
2009.

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Hal Logsdon  
Rental Officer

IN THE MATTER between **NORTH SLAVE HOUSING CORPORATION**,  
Applicant, and **MABEL LOUTITT**, 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:

**NORTH SLAVE HOUSING CORPORATION**

Applicant/Landlord

-and-

**MABEL LOUTITT**

Respondent/Tenant

**REASONS FOR DECISION**

**Date of the Hearing:** March 11, 2009

**Place of the Hearing:** Yellowknife, NT

**Appearances at Hearing:** Roberta Bulmer, representing the applicant

**Date of Decision:** March 11, 2009

### **REASONS FOR DECISION**

The respondent was served with a Notice of Attendance sent by registered mail and confirmed delivered. The respondent failed to appear at the hearing and the hearing was held in her absence.

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 between the parties.

The applicant provided a copy of the tenant ledger in evidence which indicated a balance of rent owing in the amount of \$2679. The applicant noted that only four payments had been made by the respondent in the past twelve months. The ledger indicates that no payments of rent have been received since November 20, 2008.

The applicant also noted that three previous orders had been issued regarding rent. I note that each order served to terminate the tenancy agreement unless the rent arrears were paid by a certain date. The applicant indicated that the respondent had satisfied each of the orders to avoid the termination of the tenancy agreement. She stated that the board of directors did not think they should have to repeatedly send notices or seek orders in order to collect the rent from the respondent. She stated that 60 notices regarding rent arrears had been sent to the respondent over the past 14 years of the tenancy.

The applicant also alleged that the respondent had failed to report the income of another person who occupied the premises on an on-going basis. The premises are subsidized public housing. The applicant stated that if the other person's income was reported and considered, the respondent may not be eligible for occupancy.

I find the ledger in order and find the respondent in breach of her obligation to pay rent. I find the rent arrears to be \$2679. In my opinion, there are sufficient grounds to terminate this tenancy agreement without considering the respondent's alleged failure to report the entire household income. I must agree with the Corporation's board of directors that a landlord should not have to continually launch legal action in order to enforce their right to collect rent. The respondent has enjoyed suitable shelter at a subsidized rate for a long time. The respondent is well aware of her obligation to pay rent on time yet she continually fails to do so requiring the landlord to file an application to collect the rent.

An order shall issue requiring the respondent to pay the applicant rent arrears in the amount of \$2679 and terminating the tenancy agreement on March 31, 2009.

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Hal Logsdon  
Rental Officer