

IN THE MATTER between **ULUKHAKTOK HOUSING ASSOCIATION**, Applicant,
and **LEONARD ALEEKUK**, 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 **ULUKHAKTOK, NT**.

BETWEEN:

ULUKHAKTOK HOUSING ASSOCIATION

Applicant/Landlord

- and -

LEONARD ALEEKUK

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 fifteen thousand five hundred nineteen dollars (\$15, 519.00).
2. Pursuant to section 41(4)(c) of the *Residential Tenancies Act*, the tenancy agreement between the parties for the premises known as Unit 1, Lot 8, Block 6, Ulukhaktok, NT, shall be terminated on April 30, 2009 and the respondent shall vacate the premises on that date.

DATED at the City of Yellowknife, in the Northwest Territories this 2nd day of April,
2009.

Hal Logsdon
Rental Officer

IN THE MATTER between **ULUKHAKTOK HOUSING ASSOCIATION**, Applicant,
and **LEONARD ALEEKUK**, 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:

ULUKHAKTOK HOUSING ASSOCIATION

Applicant/Landlord

-and-

LEONARD ALEEKUK

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: March 31, 2009

Place of the Hearing: Ulukhaktok, NT via teleconference

Appearances at Hearing: Karen Kitekudlak, representing the applicant

Date of Decision: April 1, 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 his 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 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 \$31,732.15. The April, 2009 rent of \$2217 had not been posted to the ledger, bringing the balance to \$33,949.15. The full unsubsidized rent of \$2217 has been assessed in each month from March, 2008 to present. A memo from the subsidy agent indicates that the respondent has failed to report any income information since February, 2008 on which to calculate a subsidized rent.

A previous order (file #20-10356, filed on October 9, 2008) required the respondent to pay the applicant rent arrears of \$18,430.15 and to comply with his obligation to report the household income in accordance with the tenancy agreement. The ledger indicates that no rent has been paid since the issuance of that order.

I find the respondent in breach of his obligation to pay rent and find the rent arrears to be

\$33,949.15. I find the application of the full unsubsidized rent to be reasonable. It is clear from the evidence that the respondent has no intention of paying rent or reporting his income, having completely ignored the previous order. In my opinion, there are sufficient grounds to terminate the tenancy agreement.

Taking into consideration the previous order, an order shall issue requiring the respondent to pay the applicant \$15,519 and terminating the tenancy agreement between the parties on April 30, 2009. I calculate that amount as follows:

| | |
|---------------------------------|--------------------|
| Rent arrears | \$33,949.15 |
| Less previous unsatisfied order | <u>(18,430.15)</u> |
| This order | \$15,519.00 |

Hal Logsdon
Rental Officer