

IN THE MATTER between **YELLOWKNIFE HOUSING AUTHORITY**, Applicant,
and **ROBERT KUSSY AND GOOTA ASHOONA**, 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 **YELLOWKNIFE, NT**.

BETWEEN:

YELLOWKNIFE HOUSING AUTHORITY

Applicant/Landlord

- and -

ROBERT KUSSY AND GOOTA ASHOONA

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 three thousand five hundred thirty dollars and fifty six cents (\$3530.56).
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 1039 Williams Avenue, Yellowknife, NT shall be terminated on May 31, 2010 and the respondents shall vacate the premises on that date, unless the rent arrears are paid in full.

DATED at the City of Yellowknife, in the Northwest Territories this 6th day of May,
2010.

Hal Logsdon
Rental Officer

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and **ROBERT KUSSY AND GOOTA ASHOONA**, Respondents.

AND IN THE MATTER of the **Residential Tenancies Act** R.S.N.W.T. 1988, Chapter
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BETWEEN:

YELLOWKNIFE HOUSING AUTHORITY

Applicant/Landlord

-and-

ROBERT KUSSY AND GOOTA ASHOONA

Respondents/Tenants

REASONS FOR DECISION

Date of the Hearing: May 5, 2010

Place of the Hearing: Yellowknife, NT

Appearances at Hearing: Joanne Koyina, representing the applicant

Date of Decision: May 5, 2010

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 unless the rent arrears were paid in full. The premises are subsidized public housing.

The applicant provided a statement of the rent account in evidence which indicated a balance of rent owing in the amount of \$3530.56. The full unsubsidized rent has been applied for the months of April and May, 2010. The applicant provided a memo from the subsidy agent stating that the respondents had failed to provide any income information on which to calculate the rents for April and May, 2010.

I find the statement in order and find the application of the full unsubsidized rent to be reasonable. I note that should the respondents file the household income information with the subsidy agent as required by the tenancy agreement, the April and May, 2010 rents must be adjusted as necessary. I find the rent arrears to be \$3530.56. In my opinion, there are sufficient grounds to terminate the tenancy agreement unless the rent arrears are promptly paid.

An order shall issue requiring the respondents to pay the applicant rent arrears of \$3530.56 and terminating the tenancy agreement on May 31, 2010 unless the rent arrears are paid in full.

Hal Logsdon
Rental Officer