

IN THE MATTER between **ULUKHAKTOK HOUSING ASSOCIATION**, Applicant,
and **IRENE AKHIATAK**, 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 -

IRENE AKHIATAK

Respondent/Tenant

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to sections 84(3), 41(4)(a) and 83(2) of the *Residential Tenancies Act*, the previous order (file #20-10354, filed on October 14, 2008) is rescinded and the respondent is ordered to pay the applicant rent arrears in the amount of eighteen thousand five hundred eighty two dollars and ninety eight cents (\$18,582.98) in monthly installments of one hundred dollars (\$100.00), payable on the fifteenth day of every month until the rent arrears are paid in full. The first payment shall be due on June 15, 2010.

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

DATED at the City of Yellowknife, in the Northwest Territories this 25th day of May, 2010.

Hal Logsdon
Rental Officer

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BETWEEN:

ULUKHAKTOK HOUSING ASSOCIATION

Applicant/Landlord

-and-

IRENE AKHIATAK

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: May 19, 2010

Place of the Hearing: Ulukhaktok, NT via teleconference

Appearances at Hearing: Mary Banksland, representing the applicant
Karen Kitekudlak, representing the applicant
Irene Akhiatak, respondent

Date of Decision: May 25, 2010

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 which indicated a balance of rent owing in the amount of \$20,680.98. The full unsubsidized rent has been assessed for the month of May, 2010.

A previous order (file #20-10354, filed on October 14, 2008) required the respondent to pay rent arrears of \$12,822 in monthly installments of \$150/month and to pay the monthly rent on time.

The respondent did not dispute the allegations and stated that she would pay the monthly rent plus an additional \$100 each month until the rent arrears were paid in full. The applicant stated that they would agree to this payment plan and withdrew their request for termination of the tenancy agreement.

There was no evidence provided as to why the full unsubsidized rent was applied in May, 2010. It appears that there is currently no subsidy agent working in the community. In my opinion, the evidence does not support the assessment of the full unsubsidized rent for May, 2010.

I find rent arrears of \$18,582.98 calculated as follows:

Balance at April 30/10	\$18,674.98
Less payment 12/05/10	(32.00)
Less payment 19/05/10	<u>(60.00)</u>
Total	\$18,582.98

An order shall issue rescinding the previous order and requiring the respondent to pay the applicant rent arrears of \$18,582.98 in monthly installments of \$100 payable on the fifteenth day of every month until the rent arrears are paid in full. The first payment shall be due on June 15, 2010. The respondent is also ordered to pay the monthly rent on time.

Should the respondent fail to pay the rent arrears in accordance with this order or fail to pay the monthly rent on time, the applicant may file another application seeking the full payment of any balance and termination of the tenancy agreement.

Hal Logsdon
Rental Officer