

IN THE MATTER between **ULUKHAKTOK HOUSING ASSOCIATION**, Applicant,
and **IRENE AKHIATOK**, Respondent;

AND IN THE MATTER of the **Residential Tenancies Act** R.S.N.W.T. 1988, Chapter
R-5 (the "Act") and amendments thereto;

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 AKHIATOK

Respondent/Tenant

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to sections 84(3) and 41(4)(a) of the *Residential Tenancies Act*, the previous order (file #20-11428, filed on May 25, 2010) is rescinded and the respondent is ordered to pay the applicant rent arrears in the amount of thirty three thousand fourteen dollars and ninety eight cents (\$33,014.98).
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 Unit 13, Block 12, Lot 3, Ulukhaktok, NT shall be terminated on February 15, 2011 and the respondent shall vacate the premises on that date, unless the rent arrears in the amount of thirty three thousand

fourteen dollars and ninety eight cents (\$33,014.98) are paid in full.

DATED at the City of Yellowknife, in the Northwest Territories this 27th day of January,
2011.

Hal Logsdon
Rental Officer

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

IRENE AKHIATOK

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: January 27, 2011

Place of the Hearing: Ulukhaktok, NT via teleconference

Appearances at Hearing: Lena Egotak, representing the applicant
Laverna Klegenberg, representing the applicant

Date of Decision: January 27, 2011

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 premises are subsidized public housing.

The applicant provided a copy of the tenant ledger which indicated a balance owing as at November 3, 2010 of \$28,850.98. The applicant testified that since that date the December, 2010 rent (\$2098) and the January 2011 rent (\$2098) had come due and one payment of \$32 had been made on December 6, 2010 bringing the balance owing to \$33,014.98.

The full unsubsidized rent has been assessed in July, August, September, October, November and December, 2010 and in January, 2011. The applicant testified that the respondent had failed to provide any income information to permit the assessment of rents for those months based on household income.

A previous order (file #20-11428, filed on May 25, 2010) required the respondent to pay rent arrears in monthly payment of \$100 plus the assessed rent. The ledger indicates that order was breached.

I find the ledger in order and find the application of the full unsubsidized rent to be reasonable. I find rent arrears of \$33,014.98. In my opinion, there are sufficient grounds to terminate the tenancy agreement unless the rent arrears are promptly paid. Four previous orders have permitted the respondent to pay the rent arrears in reasonable installments and all have been breached.

An order shall issue rescinding the previous order and ordering the respondent to pay the applicant rent arrears of \$33,014.98. The tenancy agreement shall be terminated on February 15, 2011 unless those arrears are paid in full.

Hal Logsdon
Rental Officer