

IN THE MATTER between **NWT HOUSING CORPORATION**, Applicant, and  
**KYLE CLILLIE**, 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 **WRIGLEY, NT**.

BETWEEN:

**NWT HOUSING CORPORATION**

Applicant/Landlord

- and -

**KYLE CLILLIE**

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 six hundred six dollars (\$606.00).
2. Pursuant to section 41(4)(c) of the *Residential Tenancies Act*, the tenancy agreement for the premises known as Lot 219, Plan 2427, Wrigley, NT shall be terminated on April 15, 2011 and the respondent shall vacate the premises on that date.

DATED at the City of Yellowknife, in the Northwest Territories this 31st day of March,  
2011.

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Hal Logsdon  
Rental Officer

IN THE MATTER between **NWT HOUSING CORPORATION**, Applicant, and  
**KYLE CLILLIE**, 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:

**NWT HOUSING CORPORATION**

Applicant/Landlord

-and-

**KYLE CLILLIE**

Respondent/Tenant

**REASONS FOR DECISION**

**Date of the Hearing:**                      **March 29, 2011**

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

**Appearances at Hearing:**                      **Lorayne Menicoche Moses, representing the applicant**  
   **Lyle Clillie, respondent**

**Date of Decision:**                              **March 31, 2011**

**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 statement of the rent account which indicated a balance of rent owing in the amount of \$1520.68.

The respondent did not dispute the allegations but stated that he had stopped paying the rent when the applicant started to apply the full unsubsidized rent of \$1880/month in November 2010. The statement filed with the application in February, 2011 does, in fact, show the application of the full unsubsidized rent but the updated statement filed with the rental officer on March 11, 2011 and provided to the respondent indicates that the rents have all been adjusted to income and set at \$101/month.

The respondent did not dispute the rents as reassessed and stated that he would be able to pay the arrears in full by the end of April, 2011.

A previous order (file #10-11608, filed on September 29, 2010) required the respondent to pay rent arrears of \$914.68. The applicant stated that the order had not been filed in the court and the statement indicates that no payments have been made in satisfaction of that order. The statement

indicates that all of the payments made in the past 12 months have been returned due to insufficient funds. Essentially the respondent has not paid any rent for a year.

I find the respondent in breach of his obligation to pay rent and find the rent arrears to be \$1520.68. In my opinion there are sufficient grounds to terminate the tenancy agreement. The arrears represent fifteen months of rent and no payments whatsoever have been made in the past year. The respondent has made no effort to pay rent in accordance with a previous order. In my opinion, the respondent has little or no intention of paying rent.

Taking into account the previous unsatisfied order, an additional order shall issue requiring the respondent to pay the applicant rent arrears of \$606 and terminating the tenancy agreement on April 15, 2011. I calculate the amount of this order as follows:

Balance as per statement	\$1520.68
less previous order	<u>(914.68)</u>
Current order	\$606.00

The applicant agreed that this order could be served on him by e-mail.

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Hal Logsdon  
Rental Officer