

IN THE MATTER between **BEHCHOKO KO GHA K'AODEE**, Applicant, and **ROSE MARIE BISHOP AND HENRY RABESCA**, Respondents;

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 **BEHCHOKO, NT**.

BETWEEN:

BEHCHOKO KO GHA K'AODEE

Applicant/Landlord

- and -

ROSE MARIE BISHOP AND HENRY RABESCA

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 nineteen thousand seven hundred sixty dollars (\$19,760.00).
2. Pursuant to section 41(4)(b) of the *Residential Tenancies Act*, the respondents shall pay future rent on time.

DATED at the City of Yellowknife, in the Northwest Territories this 3rd day of May, 2011.

Hal Logsdon
Rental Officer

IN THE MATTER between **BEHCHOKO KO GHA K'AODEE**, Applicant, and **ROSE MARIE BISHOP AND HENRY RABESCA**, 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.

BETWEEN:

BEHCHOKO KO GHA K'AODEE

Applicant/Landlord

-and-

ROSE MARIE BISHOP AND HENRY RABESCA

Respondents/Tenants

REASONS FOR DECISION

Date of the Hearing: April 7, 2011

Place of the Hearing: Behchoko, NT

Appearances at Hearing: Rose Dryneck, representing the applicant
Henry Rabesca, respondent
Rose Lamouelle, representing the respondents

Date of Decision: April 7, 2011

REASONS FOR DECISION

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 to pay future rent on time. The applicant withdrew their request for an order terminating the tenancy agreement. The premises are subsidized public housing.

The applicant provided copies of the tenant ledger in evidence which indicated a balance of rent owing in the amount of \$20,565. The full unsubsidized rent of \$1149 has been applied in April, 2011. The applicant stated that income information has been provided by the respondents and based on that information the April, 2011 rent would be adjusted to \$344 resulting in a balance owing of \$19,760.

The respondent had numerous questions concerning the application of the full unsubsidized rent. After hearing the testimony of the applicant and reviewing the ledger, I am satisfied that the rents that have been assessed are all based on the household income of the respondents and the balance of rent arrears is \$19,760. I calculate that balance as follows:

Balance as per ledger	\$20,565
Less April/11 rent	(1149)
Plus adjusted April/11 rent	<u>344</u>
Total	\$19,760

I find the respondents in breach of their obligation to pay rent. An order shall issue requiring the respondents to pay the applicant rent arrears of \$19,760 and to pay future rent on time.

Hal Logsdon
Rental Officer