

IN THE MATTER between **YELLOWKNIFE HOUSING AUTHORITY**, Applicant,
and **LAURA ADAMS**, 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 **YELLOWKNIFE, NT.**

BETWEEN:

YELLOWKNIFE HOUSING AUTHORITY

Applicant/Landlord

- and -

LAURA ADAMS

Respondent/Tenant

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to section 41(4)(a) and 83(2) of the *Residential Tenancies Act*, the respondent shall pay the applicant rent arrears in the amount of one thousand one hundred dollars and sixteen cents (\$1100.16). The rent arrears shall be paid in monthly installments of fifty dollars (\$50.00) payable on the last day of every month until the rent arrears are paid in full. The first payment shall be due on November 30, 2011.
2. Pursuant to section 41(4)(b) of the *Residential Tenancies Act*, the respondent shall pay future rent on time.
3. Pursuant to section 45(4)(a) of the *Residential Tenancies Act*, the respondent shall

comply with her obligations to pay for electricity during the term of the tenancy agreement and to report the household income in accordance with the tenancy agreement.

DATED at the City of Yellowknife, in the Northwest Territories this 29th day of November, 2011.

Hal Logsdon
Rental Officer

IN THE MATTER between **YELLOWKNIFE HOUSING AUTHORITY**, Applicant,
and **LAURA ADAMS**, 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:

YELLOWKNIFE HOUSING AUTHORITY

Applicant/Landlord

-and-

LAURA ADAMS

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: November 23, 2011

Place of the Hearing: Yellowknife, NT

Appearances at Hearing: Ella Newhook, representing the applicant

Date of Decision: November 23, 2011

REASONS FOR DECISION

The respondent was sent a Notice of Attendance by registered mail but failed to appear at the hearing. At the time of the hearing there was no confirmation that the notice had been received but the applicant stated that they had spoken to the tenant prior to the hearing and had entered into a repayment agreement for the rent arrears. It would appear that the tenant was aware of the hearing and felt that the repayment agreement made it unnecessary to attend. Given the circumstances, I believe it is reasonable to deem the notice delivered pursuant to section 71(5) of the *Residential Tenancies Act*.

The applicant alleged that the respondent had breached the tenancy agreement by failing to pay rent, failing to pay for electricity during the term of the tenancy and failing to report the household income in accordance with the tenancy agreement. The premises are subsidized public housing.

The applicant stated that the tenant has now reestablished her account for electricity with the supplier and has brought her household income reporting up to date. The applicant sought an order requiring the respondent to pay the rent arrears in accordance with their repayment agreement and to comply with her obligation to pay for electricity and report the household income. The applicant withdrew their request for an order terminating the tenancy agreement.

The applicant provided a statement of the rent account and a copy of the repayment agreement in

evidence. The statement indicates a balance owing as at October 31, 2011 of \$1100.16 which is the amount acknowledged by the respondent in the repayment agreement. The agreement requires the respondent to pay the rent arrears in monthly payments of \$50 plus the monthly rent until the rent arrears are paid in full, the first payment to be made in November, 2011.

The applicant stated that the household income has not always been reported in a timely manner.

I find the respondent in breach of their obligation to pay rent and her obligations to pay for electricity and report the household income. An order shall issue requiring the respondent to pay the rent arrears in accordance with the repayment agreement and to comply with her obligations to report income and pay for electricity.

Hal Logsdon
Rental Officer