

IN THE MATTER between **INUVIK HOUSING AUTHORITY**, Applicant, and
RONALD STORR, 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 **INUVIK, NT**.

BETWEEN:

INUVIK HOUSING AUTHORITY

Applicant/Landlord

- and -

RONALD STORR

Respondent/Tenant

AMENDED 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 seven hundred thirty seven dollars (\$737.00).
2. Pursuant to section 41(4)(c) and 83(2) of the *Residential Tenancies Act*, the tenancy agreement between the parties for the premises known as NV107, 60 Bompas Street, Inuvik, NT shall be terminated on April 30, 2012 and the respondent shall vacate the premises on that date unless the rent arrears are paid in full.
3. Pursuant to sections 63(4)(b) and 83(2) of the *Residential Tenancies Act*, the respondent shall pay the applicant compensation for use and occupation of the rental premises in the

amount of forty one dollars and eighty seven cents (\$41.87) for each day the respondent remains in possession of the premises in May, 2012 unless the rent arrears of seven hundred thirty seven dollars (\$737.00) is paid in full on or before April 30, 2012 continuing the tenancy agreement.

DATED at the City of Yellowknife, in the Northwest Territories this 19th day of April, 2012.

Hal Logsdon
Rental Officer

IN THE MATTER between **INUVIK HOUSING AUTHORITY**, Applicant, and
RONALD STORR, 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:

INUVIK HOUSING AUTHORITY

Applicant/Landlord

-and-

RONALD STORR

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: April 5, 2012

Place of the Hearing: Inuvik, NT via teleconference

Appearances at Hearing: Diana Tingmiak, representing the applicant
Ronald Storr, respondent

Date of Decision: April 19, 2012

REASONS FOR DECISION

The applicant alleged that the respondent had breached the tenancy agreement by failing to pay rent. The applicant sought an order requiring the respondent to pay the alleged rent arrears and terminating the tenancy agreement and evicting the respondent. The applicant also sought an order requiring the respondent to pay compensation for use and occupation of the premises after the tenancy agreement is terminated. The premises are subsidized public housing.

The applicant provided a copy of the tenant ledger in evidence which indicated a balance of rent owing in the amount of \$1632. The full unsubsidized rent of \$1298 has been applied in April, 2012. The applicant stated that they had not received any income information on which to calculate a subsidized rent for that month.

The respondent did not dispute the allegations but stated that he had given verbal notice to terminate the tenancy agreement to be effective on April 30, 2012. He also stated that he was not working and would promptly provide the necessary income information to permit a subsidy to be calculated for April, 2012.

The parties agreed that the respondent would promptly report the missing income information and the applicant would calculate the subsidy and revise the balance as necessary. The applicant later confirmed that the respondent had provided the necessary income information and a subsidy of \$895 had been applied to the account bringing the balance to \$737. I am satisfied that the

subsidy was calculated in accordance with the rent scale.

I find the respondent in breach of his obligation to pay rent and find rent arrears of \$737. In my opinion, there are sufficient grounds to terminate the tenancy agreement unless the rent arrears are paid in full. Notwithstanding the respondent's stated intention to vacate the premises on April 30, 2012 I believe a termination order is reasonable given that the notice given by the respondent was not strictly in accordance with the Act.

An order shall issue requiring the respondent to pay the applicant rent arrears in the amount of \$737 and terminating the tenancy agreement on April 30, 2012 unless the rent arrears are paid in full. If the rent arrears are not paid by April 30, 2012 the respondent is also ordered to pay the applicant compensation of \$41.87 for each day the respondent remains in possession of the premises in May, 2012.

An eviction order to be effective on May 1, 2012 unless the rent arrears are paid in full on or before April 30, 2012 shall be issued separately.

Hal Logsdon
Rental Officer