

IN THE MATTER between **ULUKHAKTOK HOUSING ASSOCIATION**, Applicant,
and **ISAAC INUKTALIK AND LAURA INUKTALIK**, 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 **ULUKHAKTOK, NT.**

BETWEEN:

ULUKHAKTOK HOUSING ASSOCIATION

Applicant/Landlord

- and -

ISAAC INUKTALIK AND LAURA INUKTALIK

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 thirty thousand one hundred thirty seven dollars (\$30,137).
2. Pursuant to section 45(4)(a) of the *Residential Tenancies Act*, the respondents shall comply with their obligation to report the household income in accordance with the tenancy agreement.
3. 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 1st day of June,
2012.

Hal Logsdon
Rental Officer

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and **ISAAC INUKTALIK AND LAURA INUKTALIK**, Respondents.

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

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BETWEEN:

ULUKHAKTOK HOUSING ASSOCIATION

Applicant/Landlord

-and-

ISAAC INUKTALIK AND LAURA INUKTALIK

Respondents/Tenants

REASONS FOR DECISION

Date of the Hearing: May 17, 2012

Place of the Hearing: Ulukhaktok, NT via teleconference

Appearances at Hearing: Susan Kaodloak, representing the applicant

Date of Decision: May 17, 2012

REASONS FOR DECISION

The respondents were served with Notices of Attendance sent by registered mail and confirmed delivered. The respondents failed to appear at the hearing and the hearing was held in their absence.

The applicant alleged that the respondents had breached the tenancy agreement by failing to pay rent and by failing to report the household income in accordance with the tenancy agreement. The applicant sought an order requiring the respondents to pay the alleged rent arrears, to comply with the obligation to report the household income and to pay future rent on time. The premises are subsidized public housing.

The applicant provided a copy of the tenant ledger which indicated a balance of rent owing of \$37,562. The rents for February, March, April and May, 2012 have been assessed at the full unsubsidized rate. The applicant stated that the respondents had provided income information to enable a subsidized rent to be calculated for February, March and April, 2012 but a problem with the landlord's computer program prevented them from calculating the subsidy. The applicant stated that the respondents had not provided any information to enable a subsidy calculation for May, 2012.

Article 6 of the tenancy agreement requires the tenant to report the household income.

6. Tenant's Income

The Tenant promises to provide a subsidy agent appointed by the Landlord with an accurate report of the Tenant's income, the income of any occupant of the Premises, the size of the Tenant's family, and the number of occupants residing on the Premises, whenever, and as often as, the subsidy agent requests such a report. All reporting by the Tenant must be in the form prescribed by the subsidy agent.

The respondents are not in breach of this obligation for February, March or April, 2012. The landlord's computer problems do not justify the application of the unsubsidized rent for these months. There was no income information available at the hearing to enable me to calculate a subsidy for those months so I shall ignore them for the purposes of this order. The application of the full unsubsidized rent in May, 2012 is reasonable.

I find the respondents in breach of their obligation to pay rent and their obligation to report the household income in accordance with the tenancy agreement. I find rent arrears of \$30,137 calculated as follows:

Arrears as per ledger	\$37,562
less assessed rents for February, March and April, 2012 (\$2475 x 3 months)	<u>(7425)</u>
Adjusted rent arrears	\$30,137

An order shall issue requiring the respondents to pay the applicant rent arrears of \$30,137, requiring the respondents to comply with their obligation to report the household income in accordance with the tenancy agreement and to pay the monthly rent on time in the future.

Hal Logsdon
Rental Officer