

IN THE MATTER between **ULUKHAKTOK HOUSING ASSOCIATION**, Applicant,
and **ALLEN POGOTAK**, 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 **ULUKHAKTOK, NT.**

BETWEEN:

ULUKHAKTOK HOUSING ASSOCIATION

Applicant/Landlord

- and -

ALLEN POGOTAK

Respondent/Tenant

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to sections 45(4)(a) and 45(4)(b) of the *Residential Tenancies Act*, the respondent shall comply with his obligation to report the household income to the applicant and shall not breach that obligation again.

DATED at the City of Yellowknife, in the Northwest Territories this 22nd day of June,
2012.

Hal Logsdon
Rental Officer

IN THE MATTER between **ULUKHAKTOK HOUSING ASSOCIATION**, Applicant,
and **ALLEN POGOTAK**, 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:

ULUKHAKTOK HOUSING ASSOCIATION

Applicant/Landlord

-and-

ALLEN POGOTAK

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: **June 22, 2012**

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

Appearances at Hearing: **Ada Ekootak, representing the applicant**

Date of Decision: **June 22, 2012**

REASONS FOR DECISION

The respondent was served with a Notice of Attendance sent by registered mail and confirmed delivered. The respondent failed to appear at the hearing and the hearing was held in his absence.

The application was filed pursuant to sections 41(4)(a) and 41(4)(c) and sought payment of alleged rent arrears and termination of the tenancy agreement. The tenancy agreement was terminated by a previous order (file #20-11995, filed on July 7, 2011) but the applicant indicated that the tenancy agreement had been reinstated. The applicant withdrew the request for an order for payment and termination and requested instead an order requiring the respondent to report the household income in accordance with the tenancy agreement. The applicant alleged that the respondent had failed to provide any income information since May 2010, causing the landlord to apply the full unsubsidized rent of \$1720/month in every month thereafter.

Article 6 of the tenancy agreement sets out the tenant's obligation 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.

I find the respondent in breach of his obligation to report the household income in accordance with Article 6 of the tenancy agreement. An order shall issue requiring the respondent to comply

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with this obligation and to not breach the obligation again.

Hal Logsdon
Rental Officer