

IN THE MATTER between **LUTSEL K'E HOUSING AUTHORITY**, Applicant, and
MARGO ISADORE AND NORTON MICHEL, 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 **LUTSEL K'E, NT.**

BETWEEN:

LUTSEL K'E HOUSING AUTHORITY

Applicant/Landlord

- and -

MARGO ISADORE AND NORTON MICHEL

Respondents/Tenants

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to section 41(4)(a) of the *Residential Tenancies Act*, the respondent Margo Isadore shall pay the applicant rent arrears in the amount of one thousand four hundred forty seven dollars and eleven cents (\$1447.11).
2. Pursuant to section 41(4)(a) of the *Residential Tenancies Act*, the respondents Margo Isadore and Norton Michel shall pay the applicant rent arrears in the amount of four thousand one hundred thirty three dollars (\$4133.00).
3. Pursuant to section 41(4)(b) of the *Residential Tenancies Act*, the respondents shall pay future rent on time.

4. 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.

DATED at the City of Yellowknife, in the Northwest Territories this 3rd day of October, 2012.

Hal Logsdon
Rental Officer

IN THE MATTER between **LUTSEL K'E HOUSING AUTHORITY**, Applicant, and
MARGO ISADORE AND NORTON MICHEL, 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:

LUTSEL K'E HOUSING AUTHORITY

Applicant/Landlord

-and-

MARGO ISADORE AND NORTON MICHEL

Respondents/Tenants

REASONS FOR DECISION

Date of the Hearing: September 24, 2012

Place of the Hearing: Lutsel K'e, NT

Appearances at Hearing: Mary Rose Casaway, representing the applicant
Margo Isadore, respondent

Date of Decision: September 24, 2012

REASONS FOR DECISION

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 report the household income in accordance with the tenancy agreement and to pay the monthly rent on time. The premises are subsidized public housing.

The applicant provided a statement of the rent account in evidence which indicated a balance of rent owing in the amount of \$5580.11. The full unsubsidized rent has been assessed in September, 2012. The applicant stated that the respondents had failed to provide any income information to enable the calculation of a subsidized rent for that month.

The respondent did not dispute the allegations.

The tenancy agreement between the parties commenced on April 1, 2012. Prior to that date there was a tenancy agreement between the applicant and Ms Isadore as sole tenant. The landlord has treated both tenancy agreements as if they were one. Clearly, Mr. Michel can not be held responsible for the arrears which accrued prior to April 1, 2012.

Segregating these two accounts, I find rent arrears which accrued to March 31, 2012 to be \$1447.11 and rent arrears which have accrued since that date to be \$4133. I calculate those

amounts as follows:

Balance as per statement - March 31, 2012	\$3250.11
Less Subsidy applied March, 2012	<u>(1803.00)</u>
Arrears to March 31, 2012	\$1447.11

April/12 rent	32
May/12 rent	761
June rent	1245
July rent	325
August rent	325
September rent	<u>1445</u>
Arrears since April 1/12	\$4133

An order shall issue requiring Margo Isadore to pay the applicant rent arrears of \$1447.11 and requiring Margo Isadore and Norton Michel to pay the applicant rent arrears of \$4133. The respondents are also ordered to pay the monthly rent on time and to report their household income in accordance with the tenancy agreement.

Hal Logsdon
Rental Officer