

IN THE MATTER between **LUTSEL K'E HOUSING AUTHORITY**, Applicant, and
PAT CATHOLIQUE AND KRYSTIN SANDERSON, 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 -

PAT CATHOLIQUE AND KRYSTIN SANDERSON

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 three thousand seven hundred sixty seven dollars (\$3767.00).
2. 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 3rd day of October,
2012.

Hal Logsdon
Rental Officer

IN THE MATTER between **LUTSEL K'E HOUSING AUTHORITY**, Applicant, and
PAT CATHOLIQUE AND KRYSTIN SANDERSON, 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-

PAT CATHOLIQUE AND KRYSTIN SANDERSON

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

Date of Decision: October 3, 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 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 \$10,183. The applicant provided six tenancy agreements in evidence. Some are made between the applicant and respondents as joint tenants while others are made between the applicant and Mr. Catholique as sole tenant. The statement treats them all as one.

- | | |
|---------------------------------------|-------------------------------|
| - December 1, 2007 to January 6, 2009 | Mr. Catholique as sole tenant |
| - January 7, 2009 to March 31, 2011 | Respondents as joint tenants |
| - April 1, 2011 to March 31, 2012 | Mr. Catholique as sole tenant |
| - April 1, 2012 to present | Respondents as joint tenants |

I am unable to segregate the statement with the information provided by the applicant. Therefore

I shall deal only with the current tenancy agreement and grant leave to the applicant to make future applications regarding the other tenancies subject to the time limit provisions contained in section 68 of the *Residential Tenancies Act*.

I find the rent arrears which have accrued from April 1, 2012 to present to be \$3767, calculated as follows:

April/12 rent	\$32
May/12 rent	32
June/12 rent	548
July/12 rent	555
August/12 rent	1445
September/12 rent	1155
Total payments	<u>0</u>
Total	\$3767

All of the above rents are based on reported income. I find no breach of the respondents' obligation to report income insofar as this tenancy agreement is concerned.

I find the respondents in breach of their obligation to pay rent. An order shall issue requiring the respondents to pay the applicant rent arrears in the amount of \$3767 and to pay future rent on time.

Hal Logsdon
Rental Officer