

IN THE MATTER between **LUTSEL K'E HOUSING AUTHORITY**, Applicant, and
TINA ABEL, Respondent;

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

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 -

TINA ABEL

Respondent/Tenant

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to section 41(4)(b) of the *Residential Tenancies Act*, the respondent shall pay future rent on time.
2. Pursuant to section 45(4)(a) and 45(4)(b) of the *Residential Tenancies Act*, the respondent shall comply with her obligation to report the household income in accordance with the tenancy agreement and shall not breach that obligation again.

DATED at the City of Yellowknife, in the Northwest Territories this 19th day of
February, 2013.

Hal Logsdon
Rental Officer

IN THE MATTER between **LUTSEL K'E HOUSING AUTHORITY**, Applicant, and
TINA ABEL, 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:

LUTSEL K'E HOUSING AUTHORITY

Applicant/Landlord

-and-

TINA ABEL

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: January 30, 2013

Place of the Hearing: Lutsel K'e, NT via teleconference

Appearances at Hearing: Mary Rose Casaway, representing the applicant
Tina Abel, respondent

Date of Decision: January 30, 2013

REASONS FOR DECISION

The applicant alleged that the respondent 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 respondent to pay the alleged rent arrears, pay future rent on time and comply with her obligation to report the household income. 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 \$3738.88. The applicant stated that all of the rent assessments had now been adjusted to the reported household income but the respondent had previously failed to report that income in a timely manner.

The respondent questioned whether the rent had been properly assessed. She stated that she was a full time student during February, March, April and May, 2012. The rent scale in effect during those months exempted income earned while in full time attendance at school. The applicant stated that the income received for student assistance may have been incorrectly used in the calculation of rents for those months. There was no income information available at the hearing to determine if the rent had been calculated in accordance with the approved rent scale. The applicant stated that she would review the rent assessments.

It is clear from the rent statement that the respondent has not reported the household income in a

timely manner or payed the rent on the days it is due. Although I am reasonably confident that there is outstanding rent due, I am unable to determine it with any accuracy.

An order shall issue requiring the respondent to pay future rent on time, comply with her obligation to report the household income and not breach that obligation again. The applicant is granted leave to make a future application for rent arrears after reviewing the income information and assessments.

Hal Logsdon
Rental Officer