

IN THE MATTER between **TULITA HOUSING ASSOCIATION**, Applicant, and
NICOLE PETER, 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 **TULITA, NT**.

BETWEEN:

TULITA HOUSING ASSOCIATION

Applicant/Landlord

- and -

NICOLE PETER

Respondent/Tenant

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to section 41(4)(a) of the *Residential Tenancies Act*, the respondent shall pay the applicant rent arrears in the amount of seven thousand four hundred forty nine dollars (\$7449.00).
2. Pursuant to sections 41(4)(c) and 83(2) of the *Residential Tenancies Act*, the tenancy agreement between the parties for the premises known as #0067, Tulita, NT shall be terminated on March 31, 2013 and the respondent shall vacate the premises on that date, unless rent arrears in the amount of seven thousand four hundred forty nine dollars (\$7449.00) are paid in full.

DATED at the City of Yellowknife, in the Northwest Territories this 21st day of
February, 2013.

Hal Logsdon
Rental Officer

IN THE MATTER between **TULITA HOUSING ASSOCIATION**, Applicant, and
NICOLE PETER, 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:

TULITA HOUSING ASSOCIATION

Applicant/Landlord

-and-

NICOLE PETER

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: February 21, 2013

Place of the Hearing: Tulita, NT via teleconference

Appearances at Hearing: Helen Squirrel, representing the applicant

Date of Decision: February 21, 2013

REASONS FOR DECISION

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

The applicant alleged that the respondent had breached the tenancy agreement by failing to pay rent. The applicant sought an order requiring the respondent to pay the alleged rent arrears and terminating the tenancy agreement. The premises are subsidized public housing.

The applicant provided a copy of the tenant ledger in evidence which indicated a balance of rent owing in the amount of \$7449. The full unsubsidized rent of \$1445 has been charged for the months of January and February, 2013. The applicant stated that the respondent had failed to report any income information to permit the calculation of subsidized rents for those months.

I find the ledger in order and find rent arrears of \$7449. I find the application of the full unsubsidized rent in January and February to be reasonable but note that if the respondent complies with her obligation to report the household income for those months, the landlord is obligated to adjust the rents accordingly.

In my opinion, there are sufficient grounds to terminate the tenancy agreement unless the rent arrears are promptly paid. The respondent has failed to pay any rent at all since May, 2012.

An order shall issue requiring the respondent to pay the applicant rent arrears of \$7449 and terminating the tenancy agreement on March 31, 2013 unless that amount is paid in full.

Hal Logsdon
Rental Officer