

IN THE MATTER between **PAULATUK HOUSING ASSOCIATION**, Applicant, and
PETER ESAU AND TINA ESAU, Respondents;

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 **PAULATUK, NT**.

BETWEEN:

PAULATUK HOUSING ASSOCIATION

Applicant/Landlord

- and -

PETER ESAU AND TINA ESAU

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 nine thousand four hundred seventy nine dollars (\$9479.00).
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 10th day of
December, 2013.

Hal Logsdon
Rental Officer

IN THE MATTER between **PAULATUK HOUSING ASSOCIATION**, Applicant, and
PETER ESAU AND TINA ESAU, 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:

PAULATUK HOUSING ASSOCIATION

Applicant/Landlord

-and-

PETER ESAU AND TINA ESAU

Respondents/Tenants

REASONS FOR DECISION

Date of the Hearing: **October 22, 2013**

Place of the Hearing: **Paulatuk, NT**

Appearances at Hearing: **Marjorie Hansen, representing the applicant**
 Eileen Ruben, representing the applicant
 Peter Esau, respondent

Date of Decision: **October 22, 2013**

REASONS FOR DECISION

The applicant alleged that the respondents had breached the tenancy agreement by failing to pay rent and sought an order requiring the respondents to pay the alleged rent arrears and to pay future rent on time. 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 \$9479. The applicant testified that all of the assessed rent had been based on the respondents' household income except rent for September, 2013. The applicant stated that the respondents had failed to provide any household income information to enable the calculation of a subsidized rent for that month. Consequently the full unsubsidized rent had been applied.

The respondents did not dispute the allegations.

I find the tenant ledger in order and find the respondents in breach of their obligation to pay rent.

I find the rent arrears to be \$9479. I find the application of the full unsubsidized rent in September, 2013 to be reasonable but note that the applicant is obligated to adjust this assessment accordingly if the respondents report the household income.

An order shall issue requiring the respondents to pay the applicant rent arrears of \$9479 and to pay future rent on time.

Hal Logsdon
Rental Officer