

IN THE MATTER between **ULUKHAKTOK HOUSING ASSOCIATION**, Applicant,
and **CORA JOSS**, 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 **ULUKHAKTOK, NT.**

BETWEEN:

ULUKHAKTOK HOUSING ASSOCIATION

Applicant/Landlord

- and -

CORA JOSS

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 eleven thousand two dollars and nine cents (\$11,002.09).
2. Pursuant to section 41(4)(b) of the *Residential Tenancies Act*, the respondent shall pay future rent on time.
3. Pursuant to sections 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.

4. Pursuant to sections 45(4)(a) and 45(4)(b) of the *Residential Tenancies Act*, the respondent shall comply with her obligation to pay for electricity during the term of the tenancy agreement and shall not breach that obligation again.

DATED at the City of Yellowknife, in the Northwest Territories this 13th day of August, 2014.

Hal Logsdon
Rental Officer

IN THE MATTER between **ULUKHAKTOK HOUSING ASSOCIATION**, Applicant,
and **CORA JOSS**, 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:

ULUKHAKTOK HOUSING ASSOCIATION

Applicant/Landlord

-and-

CORA JOSS

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: **June 18, 2014**

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

Appearances at Hearing: **Marjorie Hansen, representing the applicant (by
telephone)
Sheila Nasogaluak, representing the applicant
Sadie Joss, representing the applicant**

Date of Decision: **June 18, 2014**

REASONS FOR DECISION

The respondent was sent a Notice of Attendance by registered mail. At the time of the hearing, there was no confirmation of receipt but the item was mailed on May 23, 2014. The respondent failed to appear at the hearing. In my opinion, it is not unreasonable to deem the notice served in accordance with section 71(5) of the *Residential Tenancies Act*. The matter was heard in the absence of the respondent.

The applicant alleged that the respondent had breached the tenancy agreement by failing to pay rent, failing to pay for electricity and failing to report the household income in accordance with 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 of \$11,002.09. The applicant testified that all of the assessed rent had been calculated on the reported household income in accordance with the approved rent scale and noted that the numerous retroactive rent adjustments on the ledger were the result of the tenant's failure to report the household income when requested, the resultant application of the full unsubsidized rent and the eventual rent adjustment when the tenant reported the income.

The applicant stated that the tenant's electricity had been disconnected by the supplier of the utility for non-payment and the applicant had established the account in their name to prevent any harm to the premises.

I find ledger in order and find the respondent in breach of her obligation to pay rent. I find the rent arrears to be \$11,002.09. I also find the respondent in breach of her obligation to pay for electricity and her obligation to report the household income in accordance with the tenancy agreement.

An order shall issue requiring the respondent to pay the applicant rent arrears of \$11,002.09, to comply with her obligations to pay for electricity and to report income and to not breach those obligations again and to pay future rent on time.

Hal Logsdon
Rental Officer