

IN THE MATTER between **ULUKHAKTOK HOUSING ASSOCIATION**, Applicant,  
and **JAMIE NOTAINA**, 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 -

**JAMIE NOTAINA**

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 thirty one thousand five hundred seventeen dollars (\$31,517.00).
2. Pursuant to sections 45(4)(a) and 45(4)(b) of the *Residential Tenancies Act*, the respondent shall comply with his obligation to pay for electricity and shall not breach that obligation again.

DATED at the City of Yellowknife, in the Northwest Territories this 26th day of August,  
2014.

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Hal Logsdon  
Rental Officer

IN THE MATTER between **ULUKHAKTOK HOUSING ASSOCIATION**, Applicant,  
and **JAMIE NOTAINA**, 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-

**JAMIE NOTAINA**

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:** August 25, 2014

### **REASONS FOR DECISION**

The respondent was sent a Notice of Attendance by registered mail on May 22, 2014. At the time of the hearing, there was no confirmation of delivery. In my opinion, it is not unreasonable to deem the notice served pursuant to section 71(5) of the *Residential Tenancies Act*. The respondent failed to appear at the hearing and the hearing was held in his absence.

The applicant alleged that the respondent had breached the tenancy agreement by failing to pay rent, failing to report the household income and failing to pay for electricity. The applicant sought an order requiring the respondent to pay the alleged rent arrears, to pay future rent on time and to comply with his obligations to report the household income and to pay for electricity. The premises are subsidized public housing.

The applicant provided a copy of the tenant ledger which indicated a balance of rent owing in the amount of \$31,517. The full unsubsidized rent has been assessed from April, 2012 to present. The applicant stated that the respondent had failed to provide any household income information on which to calculate a subsidized rent for those months.

The applicant also stated that the respondent had failed to pay for electricity and the account was established in the name of the landlord to protect the property from damage.

Three previous orders have been issued against the respondent (files #20-10351, #20-11999 and

#20-12874). The monetary value the orders has been satisfied. The most recent order, #20-12874, terminated the tenancy on September 1, 2012 but the applicant stated that they had reinstated the tenancy.

I find the ledger in order and find the respondent in breach of his obligation to pay rent. I find the application of the full unsubsidized rent to be reasonable and find rent arrears to be \$31,517. I also find the respondent in breach of his obligation to pay for electricity and his obligation to report the household income.

An order shall issue requiring the respondent to pay the applicant rent arrears of \$31,517.

Previous orders have been issued requiring the payment of rent on time and compliance with the obligation to report the household income. I see no reason to repeat these orders as the respondent appears to ignore them and the applicant does not enforce them. An order shall issue requiring the respondent to comply with his obligation to pay for electricity and to not breach that obligation again.

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Hal Logsdon  
Rental Officer