

IN THE MATTER between **ULUKHAKTOK HOUSING ASSOCIATION**, Applicant,  
and **MARY KAGYUT**, 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 -

**MARY KAGYUT**

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 eighteen thousand eight hundred ninety five dollars (\$18,895.00).
2. 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.
3. Pursuant to section 41(4)(b) of the *Residential Tenancies Act*, the respondent shall pay future rent on time.

DATED at the City of Yellowknife, in the Northwest Territories this 5<sup>th</sup> day of  
September, 2014.

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Hal Logsdon  
Rental Officer

IN THE MATTER between **ULUKHAKTOK HOUSING ASSOCIATION**, Applicant,  
and **MARY KAGYUT**, 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-

**MARY KAGYUT**

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 served with a Notice of Attendance sent by registered mail and 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 and 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, comply with her obligation to report the household income and to pay the monthly 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 \$20,731.79 as at June 11, 2014. The applicant sought only \$18,895 because some of the rent arrears shown on the ledger accrued prior to May 3, 2011 when the respondent became a tenant. The balance on May 3, 2011 was \$5560.79 and subsidies for April and May of \$2019 and \$1705 were applied retroactively, bringing the adjusted balance to \$1836.79. Deducting this from the current balance results in arrears accrued since May 3, 2011 of \$18,895. The applicant calculated this balance as follows:

Balance as per ledger on May 3/11	\$5560.79
Less applied subsidy for April/11	2019.00
Less applied subsidy for May/11	<u>1705.00</u>
Adjust balance on May 3/11	\$1836.79

Current balance as per ledger	\$20,731.79
Less arrears prior to May 3/11	<u>1,836.79</u>
Rent arrears	\$18,895.00

The full unsubsidized rent has been assessed in every month since August 2013. The applicant testified that the unsubsidized rent had been charged because the respondent failed to provide any income information on which to calculate a subsidized rent.

I find the respondent in breach of her obligation to pay rent and find rent arrears of \$18,895. I find the application of the full unsubsidized rent to be reasonable. I also find the respondent in breach of 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 \$18,895, to comply with her obligation to report the household income and not breach that obligation again and to pay future rent on time.

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Hal Logsdon  
Rental Officer