

IN THE MATTER between **ULUKHAKTOK HOUSING ASSOCIATION**, Applicant,
and **CYNTHIA OLIKTOAK**, 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 -

CYNTHIA OLIKTOAK

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 eight hundred eighty seven dollars (\$7887.00).

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

Hal Logsdon
Rental Officer

IN THE MATTER between **ULUKHAKTOK HOUSING ASSOCIATION**, Applicant,
and **CYNTHIA OLIKTOAK**, 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-

CYNTHIA OLIKTOAK

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: June 19, 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
Cynthia Oliktoak, respondent

Date of Decision: August 28, 2014

REASONS FOR DECISION

The applicant alleged that the respondent had breached the tenancy agreement by failing to pay rent, failing to report the household income in accordance with the tenancy agreement and failing to pay for electricity. The applicant sought an order requiring the respondent to pay the alleged rent arrears and to comply with her obligations to report the household income, pay for electricity and 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 \$14,984. The applicant sought only \$7887 as there was a previous order (file #20-12788, filed on June 1, 2012) which still had an unsatisfied balance of \$5652 and the applicant did not seek the June rent at this time which had been entered on the ledger at the unsubsidized rate of \$1445.

The applicant stated that they had received verbal notice from the supplier of electricity on June 5, 2014 that the power would be disconnected due to non-payment. The applicant stated that they arranged verbally to have the account transferred to their name. The applicant had no documentation of this transaction.

The applicant stated that although all of the rent arrears sought were assessed on the household income calculated in accordance with the approved rent scale the respondent had not always reported her household income monthly as required.

The respondent denied that her power account had been transferred to the landlord stating that she was still receiving invoices and was paying for her electricity. She did not dispute the allegations pertaining to rent or to the reporting of the household income.

I find the respondent in breach of her obligation to pay rent and find rent arrears, not including the June rent to be \$13,539. Taking into consideration the unsatisfied balance of the previous order, an order shall issue requiring the respondent to pay \$7887, calculated as follows:

Rent arrears	\$13,539
Unsatisfied balance of #20-12788	<u>(5,652)</u>
Order	\$7,887

I provided the applicant with time to file evidence that the electrical account was established in the name of the landlord due to the failure of the respondent to pay the account. I have not received any evidence to that effect. Accordingly, no order requiring the respondent to comply with her obligation to pay for electricity shall be issued.

The previous order required the respondent to comply with her obligation to report the household income and to pay future rent on time. These orders are still in effect. There is no requirement to issue them again.

An order shall issue requiring the respondent to pay the applicant rent arrears in the amount of \$7887.

Hal Logsdon
Rental Officer