

IN THE MATTER between **ULUKHAKTOK HOUSING ASSOCIATION**, Applicant,
and **SANDRA OLOAKYOK**, 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 -

SANDRA OLOAKYOK

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 twenty seven thousand five hundred twenty eight dollars and ninety one cents (\$27,528.91).
2. Pursuant to sections 45(4)(a) and 45(4)(b) of the *Residential Tenancies Act*, the respondent shall comply with her obligations to report the household income and to pay for electricity and shall not breach those obligations 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 5th day of
September, 2014.

Hal Logsdon
Rental Officer

IN THE MATTER between **ULUKHAKTOK HOUSING ASSOCIATION**, Applicant,
and **SANDRA OLOAKYOK**, 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-

SANDRA OLOAKYOK

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 which was 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, failing to report the household income and failing to pay for electricity during the term of the tenancy agreement. The applicant sought an order requiring the respondent to pay the alleged rent arrears and to comply with her obligations to pay rent on time, pay for electricity and 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 in the amount of \$35,732.91. The applicant stated that prior to April 1, 2010 the respondent's mother had been the sole tenant. On April 1, 2010 the respondent became the tenant but her mother's arrears of \$8204 were added to the respondent's ledger. The applicant sought the balance shown on the combined ledger less \$8204, or \$27,528.91.

The applicant also testified that the electrical service had been disconnected due to non-payment and the applicant had been paying the electricity to protect the property from damage.

The full unsubsidized rent has been assessed for the past four months. The applicant testified that

the unsubsidized amount was charged because the respondent failed to provide any income information on which to calculate a subsidized rent. The ledger indicates that the full unsubsidized rent has been assessed on numerous occasions and subsequently adjusted when the respondent complied with her obligation to provide the household income information.

I find the respondent in breach of her obligation to pay rent and find rent arrears of \$27,528.91. I find the application of the full unsubsidized rent to be reasonable. I also find the respondent in breach of her obligations to report the household income and to pay for electricity.

An order shall issue requiring the respondent to pay the applicant rent arrears of \$27,528.91, to comply with her obligations to pay for electricity and to report the household income and to pay future rent on time.

Hal Logsdon
Rental Officer