

IN THE MATTER between **YELLOWKNIFE HOUSING AUTHORITY**, Applicant,
and **PAULINE WILLIAH**, 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 **YELLOWKNIFE, NT**.

BETWEEN:

YELLOWKNIFE HOUSING AUTHORITY

Applicant/Landlord

- and -

PAULINE WILLIAH

Respondent/Tenant

ORDER

IT IS HEREBY ORDERED:

1. 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.
2. Pursuant to section 45(4)(e) and 83(2) of the *Residential Tenancies Act*, the tenancy agreement between the parties for the premises known as Apartment 8, 5009 - 47th Street, Yellowknife, NT shall be terminated on December 31, 2014 and the respondent shall vacate the premises on that date, unless the household income has been reported to the applicant in accordance with the tenancy agreement.

DATED at the City of Yellowknife, in the Northwest Territories this 20th day of
November, 2014.

Hal Logsdon
Rental Officer

IN THE MATTER between **YELLOWKNIFE HOUSING AUTHORITY**, Applicant,
and **PAULINE WILLIAH**, 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:

YELLOWKNIFE HOUSING AUTHORITY

Applicant/Landlord

-and-

PAULINE WILLIAH

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: November 18, 2014

Place of the Hearing: Yellowknife, NT

Appearances at Hearing: Ella Newhook, representing the applicant
Michel Chinkon, representing the respondent
Anita Williah, representing the respondent

Date of Decision: November 18, 2014

REASONS FOR DECISION

The applicant alleged that the respondent had breached the tenancy agreement by failing to pay rent and by failing to report the household income. The applicant sought an order requiring the respondent to pay the alleged rent arrears, to report the household income and terminating the tenancy agreement unless the rent arrears are paid. The applicant withdrew their request for an eviction order. The premises are subsidized public housing.

The applicant provided a statement of the rent account in evidence which indicated a balance of rent owing of \$3166. The full unsubsidized rent of \$1625 has been applied in October and November. The applicant testified that the respondent failed to provide any income information to enable a subsidized rent to be calculated for those months.

The respondent's representatives stated that the respondent should be able to pay the rent arrears by December 31, 2014. The applicant noted that it was likely that the amount of rent owing would be somewhat less than shown on the statement if the respondent reports the household income resulting in adjustments to the October and November rent. The applicant stated that she had an appointment with the respondent who had promised to provide the income information.

I find the statement in order and find the application of the full unsubsidized rent to be reasonable. In my opinion a more reasonable order would require the respondent to report the household income, to not breach that obligation again and terminating the tenancy on December

31, 2014 unless the household income is provided to the applicant on or before that date. The applicant consented to that order and the respondent's representatives were confident that it would be satisfied.

The respondent is ordered to comply with her obligation to report the household income and to not breach that obligation again and terminating the tenancy agreement on December 31, 2014 unless the household income is provided to the applicant on or before that date.

Hal Logsdon
Rental Officer