

IN THE MATTER between **FORT RESOLUTION HOUSING AUTHORITY**,
Applicant, and **DARWIN UNKA**, 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 **FORT RESOLUTION, NT**.

BETWEEN:

FORT RESOLUTION HOUSING AUTHORITY

Applicant/Landlord

- and -

DARWIN UNKA

Respondent/Tenant

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to sections 41(4)(a) and 83(2) of the *Residential Tenancies Act*, the respondent shall pay the applicant rent arrears of two thousand four hundred dollars (\$2400.00) in monthly payments of fifty dollars (\$50.00) payable on the last day of every month until the rent arrears are paid in full. The first payment shall be due on February 28, 2015.
2. Pursuant to section 41(4)(b) of the *Residential Tenancies Act*, the respondent shall pay the monthly rent on time in the future.
3. Pursuant to section 45(4)(a) of the *Residential Tenancies Act*, the respondent shall

comply with his obligation to report the household income for January, 2015 in accordance with the tenancy agreement.

DATED at the City of Yellowknife, in the Northwest Territories this 13th day of February, 2015.

Hal Logsdon
Rental Officer

IN THE MATTER between **FORT RESOLUTION HOUSING AUTHORITY**,
Applicant, and **DARWIN UNKA**, 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:

FORT RESOLUTION HOUSING AUTHORITY

Applicant/Landlord

-and-

DARWIN UNKA

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: February 3, 2015

Place of the Hearing: Yellowknife, NT via teleconference

Appearances at Hearing: Elizabeth-Ann McKay, representing the applicant
Darwin Unka, respondent

Date of Decision: February 3, 2015

REASONS FOR DECISION

The applicant alleged that the respondent had breached the tenancy agreement by failing to pay rent. The applicant sought an order requiring the respondent to pay the alleged rent arrears and terminating the tenancy agreement and evicting the respondent. The premises are subsidized public housing.

The applicant provided a statement of the rent account which indicated a balance of rent owing in the amount of \$2400. The full unsubsidized rent has been applied in February, 2015. The applicant testified that the respondent had failed to provide any income information for January, 2015 to enable the calculation of a subsidized rent for February.

The respondent did not dispute the allegations and stated that he could pay the monthly rent plus an additional \$50/month. The applicant accepted the offer and withdrew their request for termination and eviction orders.

I find the statement in order and find the application of the full unsubsidized rent in February to be reasonable. However, I note that the landlord is obligated to recalculate the February rent based on the household income if the respondent complies with his obligation to provide that information. I find rent arrears of \$2400.

An order shall issue requiring the respondent to pay the applicant rent arrears of \$2400 in

monthly installments of \$50, payable on the last day of every month until the rent arrears are paid in full. The first payment shall be due on February, 28, 2015. The order shall also require the respondent to pay the monthly rent on time and to report the household income in accordance with the tenancy agreement.

Hal Logsdon
Rental Officer