

IN THE MATTER between **Yellowknife Housing Authority**, Applicant, and **Beatrice Goose**, 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, **Adelle Guigon**, Deputy Rental Officer, regarding a rental premises within **the city of Yellowknife in the Northwest Territories**.

BETWEEN:

YELLOWKNIFE HOUSING AUTHORITY

Applicant/Landlord

- and -

BEATRICE GOOSE

Respondent/Tenant

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to section 41(4)(b) of the *Residential Tenancies Act*, the respondent must pay her rent on time in the future.
2. Pursuant to sections 45(4)(a) and 45(4)(b) of the *Residential Tenancies Act*, the respondent must comply with her obligation to report household income in accordance with section 6 of her tenancy agreement and must not breach that obligation again.

DATED at the City of Yellowknife in the Northwest Territories this 22nd day of May 2015.

Adelle Guigon
Deputy Rental Officer

IN THE MATTER between **Yellowknife Housing Authority**, Applicant, and **Beatrice Goose**, 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 **Adelle Guigon**, Deputy Rental Officer.

BETWEEN:

YELLOWKNIFE HOUSING AUTHORITY

Applicant/Landlord

-and-

BEATRICE GOOSE

Respondent/Tenant

REASONS FOR DECISION

<u>Date of the Hearing:</u>	April 15, 2015
<u>Place of the Hearing:</u>	Yellowknife, Northwest Territories
<u>Appearances at Hearing:</u>	Ella Newhook, representing the applicant
<u>Date of Decision:</u>	April 15, 2015

REASONS FOR DECISION

An application to a rental officer made by Yellowknife Housing Authority as the applicant/landlord against Beatrice Goose as the respondent/tenant was filed by the Rental Office March 5, 2015. The application was made regarding a subsidized public housing residential tenancy agreement for the rental premises known as #2, 5024 - 53 Street, in Yellowknife, Northwest Territories. The applicant personally served a copy of the filed application on the respondent March 13, 2015.

The applicant alleged the respondent has repeatedly failed to pay the full amount of rent when due and has accumulated rental arrears. An order was sought for payment of rental arrears, conditional termination of the tenancy agreement, and conditional eviction. Evidence submitted is listed in Appendix A attached to this order.

A hearing was scheduled for April 15, 2015, in Yellowknife, Northwest Territories. Ms. Ella Newhook appeared representing the applicant. Ms. Beatrice Goose was sent a notice of attendance by registered mail signed for April 9, 2015. Ms. Goose did not appear at hearing nor did anyone appear on her behalf. The hearing proceeded in her absence pursuant to section 80(2) of the *Residential Tenancies Act* (the Act).

Ms. Newhook presented evidence and testimony that Ms. Goose has been a tenant in subsidized public housing since September 23, 2010. Section 6 of the written tenancy agreement requires the tenant to report total household income as and when required by the landlord; rent subsidies are calculated based on the reported household income. Ms. Newhook confirmed Ms. Goose is required to report her income monthly. If the household income is not reported or the amount is greater than a pre-established income threshold then the rent is not assessed a subsidy and charged at the maximum monthly rent for that unit as established under Schedule A to the tenancy agreement. In Ms. Goose's tenancy, that maximum monthly rent is established at \$1,625.

The statement of account included with the application to a rental officer reflects several months for which the household income was reported late, often by up to two months. The statement of account also reflects a failure on Ms. Goose's part to make payments against her rent account when they are due.

At the time of filing the application to a rental officer, Ms. Goose was in rental arrears of \$3,047 consisting of subsidized rents for all months except March 2015. After receiving the filed application, Ms. Goose worked with her landlord; she has reported her income for all outstanding months to date and resolved her rental arrears to currently have a zero balance. As such, Ms. Newhook withdrew the applicant's request for payment of rental arrears, termination of the tenancy, and eviction, and is now seeking an order for payment of future rent on time and that Ms. Goose comply with her obligation to report her household income as required.

I am satisfied the tenancy agreement between the parties for subsidized public housing is in accordance with the Act. I am satisfied that the statements of account accurately reflect the current status of the respondent's rent account.

I find the respondent has repeatedly failed to comply with section 6 of her tenancy agreement, which does require her to report her total household income as and when required by the landlord. I find the respondent has been repeatedly late paying the full amount of her rent when it is due.

An order will issue requiring Ms. Beatrice Goose to pay her rent on time in the future, to report her household income in accordance with section 6 of her tenancy agreement, and not to breach her obligation to report household income again.

Adelle Guigon
Deputy Rental Officer

APPENDIX A

Exhibits

Exhibit 1: Statement of account dated March 5, 2015

Exhibit 2: Residential tenancy agreement dated September 23, 2010

Exhibit 3: Statement of account dated April 14, 2015