

IN THE MATTER between **NORMAN WELLS HOUSING AUTHORITY**, Applicant,
and **ROGER ODGAARD AND SANDRA T'SELEIE**, Respondents;

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 **NORMAN WELLS, NT**.

BETWEEN:

NORMAN WELLS HOUSING AUTHORITY

Applicant/Landlord

- and -

ROGER ODGAARD AND SANDRA T'SELEIE

Respondents/Tenants

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to sections 41(4)(a) and 83(2) of the *Residential Tenancies Act*, the respondents shall pay the applicant rent arrears in the amount of five thousand eight hundred forty six dollars (\$5846.00) in monthly installments of one thousand dollars (\$1000.00) payable on the last day of every month until the rent arrears are paid in full. The first payment shall be due on July 31, 2015.
2. Pursuant to section 41(4)(b) of the *Residential Tenancies Act*, the respondents shall pay future rent on time.

DATED at the City of Yellowknife, in the Northwest Territories this 9th day of July,
2015.

Hal Logsdon
Rental Officer

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AND IN THE MATTER of the **Residential Tenancies Act** R.S.N.W.T. 1988, Chapter
R-5 (the "Act");

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BETWEEN:

NORMAN WELLS HOUSING AUTHORITY

Applicant/Landlord

-and-

ROGER ODGAARD AND SANDRA T'SELEIE

Respondents/Tenants

REASONS FOR DECISION

Date of the Hearing: **June 24, 2015**

Place of the Hearing: **Norman Wells, NT via telephone**

Appearances at Hearing: **Amanda Galati, representing the applicant**
 Janelle Butler, representing the applicant
 Roger Odgaard, respondent

Date of Decision: **June 24, 2015**

REASONS FOR DECISION

The applicant alleged that the respondents had breached the tenancy agreement by failing to pay rent. The applicant originally sought an order evicting the respondents but amended the application, withdrawing the request for eviction in favour of an order to pay the alleged rent arrears and pay the future rent on time. The rental premises are subsidized public housing.

The applicant provided a statement of the rent account in evidence which indicated a balance of rent owing of \$5846. The applicant stated that the full unsubsidized rent had been assessed in March, April and May, 2015 because the respondents failed to provide any income information in order to calculate a subsidized rent for those months. The applicant stated that all other rent assessments had been based on the household income of the respondents.

The respondent did not dispute the allegations. The respondents have entered into an agreement with the applicant to pay the rent arrears in monthly installments of \$1000 in addition to the monthly assessed rent. A copy of the agreement was provided in evidence. The rent statement indicates that this agreement has not been breached.

I find the statement in order and find rent arrears of \$5846. I find the application of the full unsubsidized rent to be reasonable but note that the applicant is obligated to adjust the rent as required should the respondents report their household income as required by the tenancy agreement.

An order shall issue requiring the respondents to pay the applicant rent arrears of \$5846 in monthly installments of \$1000, payable on the last day of every month, until the rent arrears are paid in full. The first payment shall be due on July 31, 2015. The respondents are also ordered to pay the monthly rent on time.

Should the respondents fail to pay the monthly rent on time or fail to make arrears payments in accordance with this order, the applicant may file another application seeking the full amount owing to be paid in lump sum and termination of the tenancy agreement.

Hal Logsdon
Rental Officer