

IN THE MATTER between **NWT HOUSING CORPORATION**, Applicant, and
MARY JANE POMIE, Respondent;

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

AND IN THE MATTER of a Hearing before, **HAL LOGSDON**, Rental Officer,
regarding the rental premises at **WHATI, NT**.

BETWEEN:

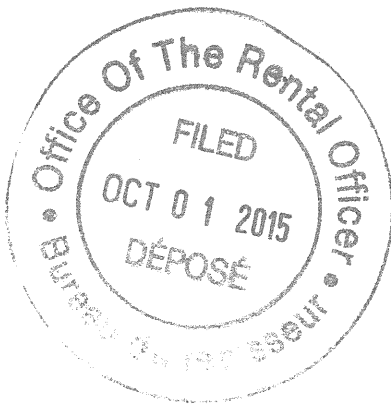
NWT HOUSING CORPORATION

Applicant/Landlord

- and -

MARY JANE POMIE

Respondent/Tenant



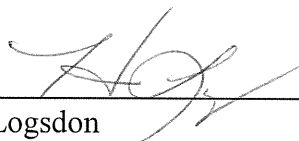
ORDER

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 three thousand one hundred seventy two dollars (\$3172.00) in monthly installments of one hundred fifty dollars (\$150.00) payable on the last day of every month until the rent arrears are paid in full. The first payment shall be due on August 31, 2015.
2. Pursuant to section 41(4)(b) of the *Residential Tenancies Act*, the respondent shall pay future rent on time.
3. 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.

DATED at the City of Yellowknife, in the Northwest Territories this 1st day of October, 2015.



Hal Logsdon
Rental Officer

IN THE MATTER between **NWT HOUSING CORPORATION**, Applicant, and
MARY JANE POMIE, 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:

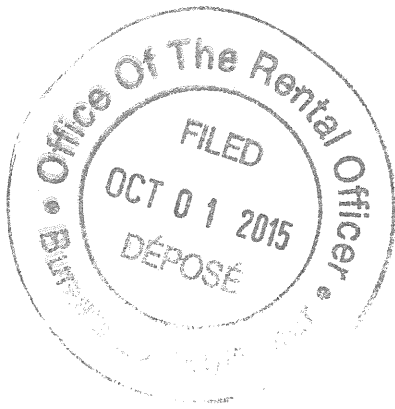
NWT HOUSING CORPORATION

Applicant/Landlord

-and-

MARY JANE POMIE

Respondent/Tenant



REASONS FOR DECISION

Date of the Hearing: August 20, 2015

Place of the Hearing: Whati, NT via teleconference

Appearances at Hearing: Jessica Relucio, representing the applicant
Mary Jane Pomie, respondent

Date of Decision: August 20, 2015

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 in accordance with the tenancy agreement. 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 copy of the lease balance statement which indicated a balance of rent owing of \$3172. The full unsubsidized rent of \$1545 was applied in August, 2015. The applicant testified that the respondent had failed to provide any income information in order to permit the calculation of a subsidized rent for that month.

The respondent did not dispute the allegations and stated that she could pay the rent arrears in monthly payments of \$150 and pay the monthly rent on time.


I find the lease balance statement in order and find the respondent in breach of her obligation to pay rent and her obligation to report the household income. I find the application of the full unsubsidized rent to be reasonable but note that the landlord is obligated to adjust the August, 2015 rent accordingly should the respondent report the household income in accordance with the tenancy agreement.

I find the payment schedule proposed by the respondent to be reasonable. An order shall issue

requiring the respondent to pay the applicant rent arrears of \$3172 in monthly payments of \$150, payable on the last day of every month until the rent arrears are paid in full. The first payment shall be due on August 31, 2015. The respondent is also ordered to pay the monthly rent on time, comply with her obligation to report the household income and to not breach that obligation again.

Should the respondent fail to pay the ordered arrears payments or pay the monthly rent on time, the applicant may file another application seeking the full payment of any remaining balance and termination of the tenancy agreement.

This decision was made known to the parties at the conclusion of the hearing.



Hal Logsdon
Rental Officer