

IN THE MATTER between **NTHC**, Applicant, and **P.H. and G.B.**, Respondents.

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**, Rental Officer,

BETWEEN:

**NTHC**

Applicant/Landlord

-and-

**P.H. and G.B.**

Respondents/Tenants

**REASONS FOR DECISION**

**Date of the Hearing:** June 30, 2016

**Place of the Hearing:** Yellowknife, Northwest Territories

**Appearances at Hearing:** A.S., representing the applicant  
P.H., respondent

**Date of Decision:** June 30, 2016

**REASONS FOR DECISION**

An application to a rental officer made by HRHA on behalf of the NTHC as the applicant/landlord against P.B. and G.B. as the respondents/tenants was filed by the Rental Office April 19, 2016. The application was made regarding a subsidized public housing residential tenancy agreement for a rental premises located in Hay River, Northwest Territories. The applicant personally served a copy of the filed application on the respondents May 3, 2016.

The applicant alleged the respondents had repeatedly failed to pay rent and had accumulated rental arrears. An order was sought for payment of the rental arrears, termination of the tenancy agreement, and eviction.

A hearing was scheduled for June 30, 2016, by three-way teleconference. Mr. A.S. appeared representing the applicant/landlord. Ms. P.H. appeared as respondent. Mr. G.B. was served with notice of the hearing by registered mail signed for June 14, 2016. Mr. B. did not appear at hearing, nor did anyone appear on his behalf. The hearing proceeded in his absence pursuant to section 80(2) of the *Residential Tenancies Act* (the Act).

*Preliminary matters*

The application to a rental officer and the written tenancy agreement identified the respondents as P.B. and G.B.. Since filing of the application the respondents have separated and Ms. B. took her maiden name back, identifying herself as P.H.. The parties agreed the style of cause should be amended going forward to identify the respondents as P.H. and G.B..

*Tenancy agreement*

The parties agreed and evidence was presented establishing a residential tenancy agreement between the applicant and both respondents for subsidized public housing commencing August 1, 2014. Although the respondents have separated, the joint tenancy agreement has not been terminated and a new sole tenancy agreement with the remaining tenant, Ms. Harrington, has not been entered into. Until such time that either of those things occurs, the respondents remain joint tenants to the tenancy agreement. I am satisfied a valid tenancy agreement is in place between the parties in accordance with the Act.

*Rental arrears*

The parties agreed that at the time of filing the application to a rental officer the respondents had been repeatedly late paying rent and had accumulated rental arrears. Since filing, Ms. H. has resolved the rental arrears and has begun complying with her obligation to pay her rent on time. The applicant's representative withdrew the applicant's request for termination of the tenancy agreement and eviction, requesting an order that the respondents pay their future rent on time.

I am satisfied the respondents have been repeatedly late paying their rent and find them in breach of their obligation to pay their rent in full when due. Under the circumstances, an order that the respondents pay their future rent on time is appropriate.

*Order*

An order will issue requiring the respondents to pay their rent on time in the future.

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Adelle Guigon  
Rental Officer