

IN THE MATTER between **NTHC**, Applicant, and **M.C.**, 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**, Rental Officer,

BETWEEN:

NTHC

Applicant/Landlord

-and-

M.C.

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: June 29, 2016

Place of the Hearing: Tulita, Northwest Territories

Appearances at Hearing: S.B., representing the applicant
M.C., respondent

Date of Decision: June 29, 2016

REASONS FOR DECISION

An application to a rental officer made by THA as the applicant/landlord against M.C. as the respondent/tenant was filed by the Rental Office March 21, 2016. The application was made regarding a subsidized public housing residential tenancy agreement for a rental premises located in Tulita, Northwest Territories. The applicant personally served a copy of the filed application on the respondent March 29, 2016.

The applicant alleged the respondent had failed to comply with a rental officer order, had repeatedly failed to pay rent, and had accumulated additional rental arrears. An order was sought to rescind paragraph 1 of Rental Officer Order Number 20-14477 and for lump sum payment of rental arrears.

A hearing was scheduled for June 29, 2016, in Tulita, Northwest Territories. The rental officer appeared by telephone. Ms. S.B. appeared representing the applicant. Ms. M.C. appeared as respondent.

Preliminary matters

The application to a rental officer identified the landlord as THA. The written tenancy agreement identified the landlord as NTHC with THA as its agent. The applicant/landlord should appropriately be identified as NTHC, and the style of cause going forward will be amended accordingly.

Tenancy agreement

The parties agreed and evidence was presented establishing a residential tenancy agreement between them for subsidized public housing commencing February 11, 2002. I am satisfied a valid tenancy agreement is in place between the parties in accordance with the *Residential Tenancies Act* (the Act).

Previous orders

Rental Officer Order Number 20-14477 dated February 26, 2015, required the respondent to pay rental arrears in the amount of \$15,001.00 in minimum monthly installments of \$445 starting in February 2015, and to pay her rent on time in the future.

Rental arrears

The lease balance statements entered into evidence represent the landlord's accounting of monthly assessed rents and payments made against the respondent's rent account. The respondent did not dispute the accuracy of the accounting and acknowledged the current amount of rental arrears identified. I am satisfied the statements accurately reflect the current status of the respondent's rent account.

Although the balance of rental arrears has reduced since the issuance of the last rental officer order, the statements support the applicant's allegation that the respondent has repeatedly failed to make her minimum monthly installment payments and has repeatedly failed to pay her subsidized rent when due.

I find the respondent has failed to comply with paragraphs 1 and 2 of Rental Officer Order Number 20-14477. I find the respondent has repeatedly failed to comply with her obligation to pay the full amount of her rent when due. I find the respondent has accumulated rental arrears in the amount of \$8,401.

Orders

An order will issue rescinding paragraph 1 of Rental Officer Order Number 20-14477 and requiring the respondent to pay rental arrears in the amount of \$8,401. Paragraph 2 of Rental Officer Order Number 20-14477 requiring the respondent to pay her rent on time in the future remains in effect.

Adelle Guigon
Rental Officer