

IN THE MATTER between **NTHC**, Applicant, and **M.E. and T.E.**, 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-

M.E. and T.E.

Respondents/Tenants

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
T.E., 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.E. and T.E. as the respondents/tenants 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 respondents March 29, 2016.

The applicant alleged the respondents had repeatedly failed to pay the full amount of rent when due and had accumulated substantial rental arrears. An order was sought for payment of the rental arrears and termination of the tenancy agreement.

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. T.E. appeared as respondent and on behalf of Mr. M.E.

Preliminary matters

The application to a rental officer identified the landlord as THA. The written tenancy agreement identified the landlord as the 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 joint residential tenancy agreement for subsidized public housing commencing April 1, 2015. The respondents have occupied the rental premises under various sole and joint tenancy agreements since March 2, 2002. I am satisfied a valid joint tenancy agreement is in place between the parties in accordance with the *Residential Tenancies Act* (the Act).

Rental arrears

The lease balance statements and tenant ledger cards entered into evidence represent the landlord's accounting of monthly assessed rents and payments received against the respondents' rent account. All rents have been subsidized based on reported household income. The respondent did not dispute the accuracy of the accounting and acknowledged the debt of accumulated rental arrears. I am satisfied the statements and cards accurately reflect the current status of the respondents' rent account.

Since filing of the application to a rental officer, the respondents have made substantial payments against their rent account, reducing the amount owing substantially. The statements and cards support the landlord's allegations that the respondents have repeatedly failed to pay the full amount of their rent on time and still carry a substantial amount of rental arrears, despite the recent payments. However, as a result of the efforts made to date, the applicant's representative withdrew the request to terminate the tenancy agreement and requested only that the respondents pay the rental arrears and pay their future rent on time.

I find the respondents have repeatedly failed to comply with their obligation to pay the full amount of rent when due. I find the respondents have accumulated rental arrears in the amount of \$8,655.

Orders

An order will issue requiring the respondents to pay rental arrears in the amount of \$8,655 and to pay their rent on time in the future.

Adelle Guigon
Rental Officer