

IN THE MATTER between **J.K.**, Applicant, and **S.L.**, 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:

J.K.

Applicant/Landlord

-and-

S.L.

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: August 17, 2016

Place of the Hearing: Yellowknife, Northwest Territories

Appearances at Hearing: J.K., applicant

Date of Decision: August 17, 2016

REASONS FOR DECISION

An application to a rental officer made by J.K. as the applicant/landlord against S.L. as the respondent/tenant was filed by the Rental Office May 30, 2016. The application was made regarding a residential tenancy agreement for a rental premises located in Hay River, Northwest Territories. The applicant served a copy of the filed application on the respondent by registered mail signed for June 22, 2016, and by email deemed received June 9, 2016.

The applicant alleged the respondent had failed to pay rent and had accumulated rental arrears. An order was sought for payment of the rental arrears.

A hearing was scheduled for August 17, 2016, by three-way teleconference. Ms. J.K. appeared as applicant. Ms. S.L. was served notice of the hearing by registered mail signed for August 10, 2016. Ms. L. did not appear at the hearing, nor did anyone appear on her behalf. The hearing proceeded in her absence pursuant to section 80(2) of the *Residential Tenancies Act* (the Act).

Tenancy agreement

The applicant testified that the respondent had entered into a verbal tenancy agreement with the applicant's father, J.H. Mr. H. passed away in April 2015 at which time the applicant inherited the rental property. The respondent was notified of the change of landlord, retained possession of the rental premises, and continued paying her rent at the previously agreed upon rate to the applicant. The respondent subsequently vacated the rental premises in December 2015. I am satisfied a valid verbal tenancy agreement was in place between the parties in accordance with the Act.

Rental arrears

The applicant testified that the respondent had initially paid her rent as required after the applicant inherited the property. The last payment received from the respondent was made October 23, 2015, in the amount of \$100. The further rent payments have been received. The applicant is claiming rental arrears accumulated to December 2015 in the amount of \$2,900.

I am satisfied the respondent failed to pay her rent in full for the months of October, November, and December 2015. I find the respondent has accumulated rental arrears in the amount of \$2,900.

Order

An order will issue requiring the respondent to pay rental arrears in the amount of \$2,900.

Adelle Guigon
Rental Officer