

IN THE MATTER between **NPRLP**, Applicant, and **LS**, 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:

NPRLP

Applicant/Landlord

-and-

LS

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: September 27, 2016

Place of the Hearing: Yellowknife, Northwest Territories

Appearances at Hearing: LB, representing the applicant
CD, representing the applicant

Date of Decision: September 27, 2016

REASONS FOR DECISION

An application to a rental officer made by NPRLP as the applicant/landlord against LS as the respondent/tenant was filed by the Rental Office June 29, 2016. The application was made regarding a residential tenancy agreement for a rental premises located in Yellowknife, Northwest Territories. The applicant served a copy of the filed application on the respondent by email deemed received July 7, 2016, pursuant to section 4(4) of the *Residential Tenancies Regulations* (the Regulations).

The applicant alleged the respondent 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 September 27, 2016, in Yellowknife, Northwest Territories. Ms. LB and Ms. CD appeared representing the applicant. Mr. LS was served notice of the hearing by registered mail signed for September 15, 2016. Mr. LS did not appear at the 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).

Tenancy agreement

The applicant's representatives testified and provided evidence establishing a residential tenancy agreement between the parties commencing October 1, 2015. I am satisfied a valid tenancy agreement is in place in accordance with the Act.

Rental arrears

The resident ledgers entered into evidence represent the landlord's accounting of monthly rent and payments made against the respondent's rent account. I am satisfied the resident ledgers accurately reflect the current status of the respondent's rent account. I am satisfied the respondent has repeatedly failed to pay the full amount of his rent on time since January 2016. I find the respondent has accumulated rental arrears in the amount of \$6,680.

Termination of the tenancy agreement and eviction

The last payment received against the respondent's rent account was recorded on August 19, 2016, in the amount of \$1,600. Other than receiving payments, the applicant's representatives testified that the respondent has made no efforts to discuss his arrears, negotiate a resolution, or indicate his intentions.

In consideration of the substantial amount of rental arrears accumulated and the respondent's repeated failure to pay the full amount of his rent when due, I am satisfied termination of the tenancy and eviction are justified.

Orders

An order will issue requiring the respondent to pay rental arrears in the amount of \$6,680; terminating his tenancy agreement September 30, 2016; evicting him from the rental premises October 15, 2016; and requiring him to compensate the applicant for use and occupation of the rental premises at a rate of \$63.78 for each day he remains there after September 30, 2016.

Adelle Guigon
Rental Officer