

IN THE MATTER between **NTHC**, Applicant, and **RH**, 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-

RH

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: September 13, 2016

Place of the Hearing: Fort Simpson, Northwest Territories

Appearances at Hearing: KK, representing the applicant

Date of Decision: September 13, 2016

REASONS FOR DECISION

An application to a rental officer made by FSHA on behalf of the NTHC as the applicant/landlord against RH as the respondent/tenant was filed by the Rental Office May 30, 2016. The application was made regarding a subsidized public housing residential tenancy agreement for a rental premises located in Fort Simpson, Northwest Territories. The applicant personally served a copy of the filed application on the respondent July 22, 2016.

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

A hearing was scheduled for September 13, 2016, in Fort Simpson. The rental officer appeared by telephone. Ms. KK appeared representing the applicant. Mr. RH was sent notice of the hearing by registered mail deemed served August 30, 2016, pursuant to section 71(5) of the *Residential Tenancies Act* (the Act). The respondent 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 Act.

Tenancy agreement

The applicant's representative testified and provided evidence establishing a residential tenancy agreement between the parties for subsidized public housing commencing May 11, 2015. Since filing of the application, the respondent abandoned the rental premises and the applicant reclaimed possession of the premises on July 15, 2016. I am satisfied a valid tenancy agreement was in place between the parties in accordance with the Act.

Rental arrears

The applicant's representative testified and provided lease balance statements establishing the respondent had failed to make any payments towards his rent in nearly 10 months. The applicant applied \$247.94 of the respondent's security deposit against the accumulated rental arrears. All rents were subsidized based on reported household income.

I am satisfied the respondent repeatedly failed to pay his rent. I find the respondent has accumulated rental arrears, including the security deposit credit, in the amount of \$526.06.

Order

An order will issue requiring the respondent to pay rental arrears in the amount of \$526.06.

Adelle Guigon
Rental Officer