

IN THE MATTER between **IDC**, Applicant, and **RK (RD)**, 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:

IDC

Applicant/Landlord

-and-

RK (RD)

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: September 13, 2016

Place of the Hearing: Inuvik, Northwest Territories

Appearances at Hearing: TG, representing the applicant
RK, respondent

Date of Decision: September 13, 2016

REASONS FOR DECISION

An application to a rental officer made by IDC as the applicant/landlord against RK as the respondent/tenant was filed by the Rental Office June 3, 2016. The application was made regarding a residential tenancy agreement for a rental premises located in Inuvik, Northwest Territories.

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

A hearing was scheduled for September 13, 2016, in Inuvik, Northwest Territories. The rental officer appeared by telephone. Ms. TG appeared representing the applicant. Ms. RK appeared as respondent.

Preliminary matters

The application to a rental officer identified the respondent as RK. The written tenancy agreement identified the tenant as RD. The respondent confirmed that RD is her former name and that she now goes by RK. The style of cause will reflect both names for the respondent.

Tenancy agreement

The parties agreed and evidence was presented establishing a residential tenancy agreement between them commencing May 9, 2015. I am satisfied a valid tenancy agreement is in place between the parties in accordance with the *Residential Tenancies Act* (the Act).

Rental arrears

The statement of account entered into evidence represents the landlord's accounting of monthly rents and payments made against the respondent's rent account. The respondent did not dispute the accuracy of the accounting. I am satisfied the statement of account accurately reflects the current status of the respondent's rent account.

The statement corroborates the applicant's allegation that the respondent has been repeatedly late paying her rent throughout her tenancy and that she has accumulated rental arrears. The respondent did not dispute this, indicating initially she had a roommate helping pay the rent. Since the application to a rental officer was filed the respondent has obtained assistance from the department of Education, Culture, and Employment (ECE) and has successfully reduced her rental arrears. The respondent is also now working and expects to be able to pay her rent on time as well as pay off the rental arrears.

I am satisfied the respondent has been repeatedly late paying her rent. I find the respondent has accumulated rental arrears in the amount of \$1,650.

Termination of the tenancy agreement and eviction

In light of the respondent's repeated failure to pay her rent when due and the amount of rental arrears accumulated I am satisfied termination of the tenancy agreement and eviction are justified. However, in agreement with the applicant, I am satisfied that termination and eviction should be conditional on the respondent's successful payment of the rental arrears in full and payment of her future rent on time.

Orders

An order will issue: requiring the respondent to pay rental arrears in the amount of \$1,650; to pay her future rent on time; terminating her tenancy agreement December 31, 2016, unless the rental arrears are paid in full and the rents for October, November, and December 2016 are paid on time; and evicting the respondent from the rental premises January 1, 2017, if the termination of the tenancy becomes effective.

Adelle Guigon
Rental Officer