

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

DB

Respondent/Tenant

REASONS FOR DECISION

<u>Date of the Hearing:</u>	October 4, 2016
<u>Place of the Hearing:</u>	Fort Smith, Northwest Territories
<u>Appearances at Hearing:</u>	CS, representing the applicant AH, representing the applicant
<u>Date of Decision:</u>	October 4, 2016

REASONS FOR DECISION

An application to a rental officer made by FSHA on behalf of the NTHC as the applicant/landlord against DB as the respondent/tenant was filed by the Rental Office July 7, 2016. The application was made regarding a subsidized public housing residential tenancy agreement for a rental premises located in Fort Smith, Northwest Territories. The applicant served a copy of the filed application on the respondent by registered mail signed for July 21, 2016.

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, payment of costs for repairs, termination of the tenancy agreement, and eviction.

A hearing was scheduled for October 4, 2016, in Fort Smith. The rental officer appeared by telephone. Mr. CS and Ms. AH appeared representing the applicant. Ms. DB was served notice of the hearing by registered mail signed for September 19, 2016. The respondent did not appear at hearing, nor did anyone appear on her behalf. The hearing proceeded in the respondent's 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 for subsidized public housing commencing June 1, 2015. I am satisfied a valid tenancy agreement is in place between the parties in accordance with the Act.

Rental arrears

The lease balance statements entered into evidence represent the landlord's accounting of monthly assessed rents and payments made against the respondent's rent account. All rents have been assessed subsidies based on reported household income. I am satisfied the statements accurately reflect the current status of the respondent's rent account.

At the time the application was filed, the respondent had repeatedly failed to pay her rent when due and had accumulated rental arrears in the amount of \$440. Since filing of the application, the respondent has successfully reduced the amount of rental arrears to \$40. Consequently, the applicant's representatives withdrew their request for an order for termination of the tenancy agreement and eviction.

I am satisfied the respondent has been repeatedly late paying her rent. I find the respondent has accumulated rental arrears in the amount of \$40.

Damages

The applicant had made a claim for costs associated with the removal and disposal of an abandoned vehicle from the property. The only information available regarding this claim was an entry in the lease balance statement on December 14, 2015, referring to work order number TD060956. The work order itself was not presented into evidence, nor was any other evidence to support the claim. The applicant's claim is denied.

Orders

An order will issue requiring the respondent to pay rental arrears in the amount of \$40 and requiring the respondent to pay her rent on time in the future.

Adelle Guigon
Rental Officer