

IN THE MATTER between **NTHC**, Applicant, and **VA and LE**, Respondents.

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-

**VA and LE**

Respondents/Tenants

**REASONS FOR DECISION**

<b><u>Date of the Hearing:</u></b>	<b>November 2, 2016</b>
<b><u>Place of the Hearing:</u></b>	<b>Sachs Harbour, Northwest Territories</b>
<b><u>Appearances at Hearing:</u></b>	<b>DK, representing the applicant VA, respondent LE, respondent</b>
<b><u>Date of Decision:</u></b>	<b>November 2, 2016</b>

**REASONS FOR DECISION**

An application to a rental officer made by SHHA on behalf of the NTHC as the applicant/landlord against VA and LA as the respondents/tenants was filed by the Rental Office June 24, 2016. The application was made regarding a subsidized public housing residential tenancy agreement for a rental premises located in Sachs Harbour, Northwest Territories. The applicant personally served a copy of the filed application on the respondents July 14, 2016.

The applicant alleged the respondents had repeatedly failed to pay rent, had repeatedly failed to report income as required, and had accumulated rental arrears. An order was sought for payment of rental arrears, for future rent to be paid on time, for reporting of income as required, for termination of the tenancy agreement, and for eviction.

A hearing was scheduled for November 2, 2016, in Sachs Harbour, Northwest Territories. The rental officer appeared by telephone. Ms. DK appeared representing the applicant. Mr. VA and Ms. LE appeared as respondents.

*Preliminary matter*

The application to a rental officer identified the respondents as VA and LA. The written tenancy agreement identifies the tenants as VA and LE. LE confirmed at hearing that she does not go by the name LA, but that she is the joint tenant to the tenancy agreement with VA. The parties agreed the application to a rental officer should be amended to identify LE as a respondent/tenant. The style of cause going forward will identify the respondents/tenants as VA and LE.

*Tenancy agreement*

The parties agreed and evidence was presented establishing a residential tenancy agreement between the parties for subsidized public housing commencing April 1, 2012. 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 parties agreed and evidence was presented establishing that the respondents had repeatedly failed to pay their rent in full and when due, and that they had accumulated substantial rental arrears. I am satisfied the respondents have repeatedly failed to pay their rent on time. I find the respondents have accumulated rental arrears in the amount of \$15,549.94.

*Termination of the tenancy agreement and eviction*

The applicant's representative agreed to withdraw the request for termination of the tenancy agreement and eviction on the condition that a minimum monthly installment plan be included in an order to pay. The respondents confirmed they could commit to a minimum monthly payment plan of at least \$200 per month in addition to their monthly rent. The respondents' recent efforts and changes in their circumstances provide some confidence in their ability to comply with their obligations to pay their rent in full when due and to make payments towards their rental arrears. I am satisfied the proposed compromise is appropriate and will incorporate a minimum monthly installment plan into an order to pay the rental arrears.

*Orders*

An order will issue: requiring the respondents to pay rental arrears in the amount of \$15,549.94 in minimum monthly installments of \$200 starting in December 2016 and requiring the respondents to pay their rent on time in the future.

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Adelle Guigon  
Rental Officer