

IN THE MATTER between **YKDPM**, Applicant, and **SN**, 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:

**YKDPM**

Applicant/Landlord

-and-

**SN**

Respondent/Tenant

**REASONS FOR DECISION**

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|---------------------------------------|---|
| <b><u>Date of the Hearing:</u></b>    | <b>November 30, 2016</b>                  |
| <b><u>Place of the Hearing:</u></b>   | <b>Yellowknife, Northwest Territories</b> |
| <b><u>Appearances at Hearing:</u></b> | <b>CW, representing the applicant</b>     |
| <b><u>Date of Decision:</u></b>       | <b>November 30, 2016</b>                  |

**REASONS FOR DECISION**

An application to a rental officer made by YKDPM as the applicant/landlord against SN as the respondent/tenant was filed by the Rental Office September 20, 2016. The application was made regarding a residential tenancy agreement for a rental premises located in Yellowknife, Northwest Territories. The applicant personally served a copy of the filed application on the respondent September 22, 2016.

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

A hearing was scheduled for November 30, 2016, in Yellowknife, Northwest Territories. Mr. CW appeared representing the applicant. Ms. SN was served notice of the hearing by registered mail signed for November 18, 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 representative testified and provided evidence establishing a residential tenancy agreement between the parties commencing July 1, 2016. The tenancy ended September 30, 2016, when the respondent vacated the rental premises. The applicant's representative withdrew the applicant's request for termination of the tenancy agreement and eviction. 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 evidence establishing that the respondent had repeatedly failed to pay her rent in full or on time and that she had accumulated rental arrears. I am satisfied the respondent repeatedly failed to pay her rent and I find the respondent has accumulated rental arrears in the amount of \$3,800.

*Utilities arrears*

Section 5 of the tenancy agreement sets out the tenant's responsibility for the electricity account. The applicant's representative testified and provided evidence establishing that the respondent failed to transfer the electricity account into her name and did not pay for the electricity usage during her tenancy. I am satisfied the respondent failed to comply with her obligation to pay the electricity bills and I find the respondent liable to the applicant for utilities arrears in the amount of \$30.49.

*Order*

An order will issue requiring the respondent to pay rental and utilities arrears in the total amount of \$3,830.49.

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Adelle Guigon  
Rental Officer