

IN THE MATTER between **NTHC**, Applicant, and **BB and BL**, 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-

BB and BL

Respondents/Tenants

REASONS FOR DECISION

<u>Date of the Hearing:</u>	January 31, 2017
<u>Place of the Hearing:</u>	Lutselk'e, Northwest Territories
<u>Appearances at Hearing:</u>	MRC, representing the applicant EN, representing the applicant BB, respondent
<u>Date of Decision:</u>	January 31, 2017

REASONS FOR DECISION

An application to a rental officer made by LKHA on behalf of the NTHC as the applicant/landlord against BB and BL as the respondents/tenants was filed by the Rental Office August 30, 2016. The application was made regarding a subsidized public housing residential tenancy agreement for a rental premises located in Lutselk'e, Northwest Territories. The applicant served a copy of the filed application on the respondents by registered mail signed for October 3, 2016.

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

A hearing was scheduled for January 31, 2017, in Lutselk'e, Northwest Territories. The rental officer appeared by telephone. MRC and EN appeared representing the applicant. BB appeared as respondent and on behalf of BL.

Tenancy agreement

The parties agreed and evidence was presented establishing a residential tenancy agreement between them for subsidized public housing commencing November 22, 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 account summary statements and lease balance statements entered into evidence represent the landlord's accounting of monthly assessed rents and payments made against the respondents' rent account. All rents have been assessed subsidies based on reported household income and the rent is currently assessed at \$555 per month. The last payment received against the rent account was recorded January 13, 2017, in the amount of \$250.

The respondent did not dispute the accuracy of the landlord's accounting, nor did he dispute the amount of rental arrears claimed. The respondent did mention that he has been out of work for a while as he is a seasonal firefighter. The applicant's representatives suggested that the respondent could report his income bi-annually based on when his seasonal employment begins and ends in order to have his monthly rent assessed according to the actual household income. Doing so may assist with making the monthly rent payments more manageable.

Under those circumstances, the applicant's representative agreed to withdraw their request for termination of the tenancy agreement and eviction in order to give the respondents fair opportunity to have their rents adjusted bi-annually, pay off their rental arrears, and pay their future rent on time.

I am satisfied the accounting statements accurately reflect the current status of the respondents' rent account. I find the respondents have repeatedly failed to pay their rent and have accumulated rental arrears in the amount of \$3,095.

Orders

An order will issue requiring the respondents to pay rental arrears in the amount of \$3,095 and to pay their future rent on time.

Adelle Guigon
Rental Officer