

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

**MC**

Respondent/Tenant

**REASONS FOR DECISION**

**Date of the Hearing:** January 31, 2017

**Place of the Hearing:** Lutselk'e, Northwest Territories

**Appearances at Hearing:** EN, representing the applicant  
MRC, representing the applicant

**Date of Decision:** 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 MC as the respondent/tenant was filed by the Rental Office August 30, 2016. The application was made regarding a subsidized public housing residential tenancy agreement located in Lutselk'e, Northwest Territories. The applicant served a copy of the filed application on the respondent by registered mail signed for October 3, 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, that future rent be paid on time, termination of the tenancy agreement, eviction, and compensation for use and occupation.

A hearing was scheduled for January 31, 2017, in Lutselk'e, Northwest Territories. The rental officer appeared by telephone. Ms. EN and Ms. MRC appeared representing the applicant. Ms. MC was served notice of the hearing by registered mail. The Lutselk'e Post Office confirmed on January 27, 2017, that the respondent had picked up the registered mail. 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 April 1, 2012. 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. The last payment received against the account was recorded January 23, 2017, in the amount of \$1,000. I am satisfied the lease balance statements accurately reflect the current status of the respondent's rent account. I find the respondent has repeatedly failed to pay the full amount of her rent when due and has accumulated substantial rental arrears in the amount of \$14,286.75.

*Termination of the tenancy agreement and eviction*

In consideration of the respondent's repeated failure to pay her rent and the substantial amount of rental arrears accumulated, I am satisfied termination of the tenancy agreement and eviction are justified.

*Orders*

An order will issue: requiring the respondent to pay rental arrears in the amount of \$14,286.75; terminating the tenancy agreement March 31, 2017; evicting the respondent from the rental premises April 1, 2017; and requiring the respondent to pay compensation for use and occupation of the rental premises at a rate of \$47.51 for each day she remains in the rental premise after March 31, 2017.

---

Adelle Guigon  
Rental Officer