

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

**AP**

Respondent/Tenant

**REASONS FOR DECISION**

**Date of the Hearing:** February 14, 2017

**Place of the Hearing:** Tuktoyaktuk, Northwest Territories

**Appearances at Hearing:** LP, representing the applicant  
AP, respondent

**Date of Decision:** February 14, 2017

**REASONS FOR DECISION**

An application to a rental officer made by THAn on behalf of the NTHC as the applicant/landlord against AP as the respondent/tenant was filed by the Rental Office October 6, 2016. The application was made regarding a subsidized public housing residential tenancy agreement for a rental premises located in Tuktoyaktuk, Northwest Territories. The applicant personally served a copy of the filed application on the respondent October 13, 2016.

The applicant alleged the respondent had repeatedly failed to pay rent, had accumulated rental arrears, and had failed to comply with a rental officer order. An order was sought for payment of the rental arrears, termination of the tenancy agreement, and eviction.

A hearing was scheduled for February 14, 2017, in Tuktoyaktuk, Northwest Territories. The rental officer appeared by telephone. LP appeared representing the applicant. AP appeared as respondent.

*Previous orders*

Rental Officer Order Number 20-14329 dated November 18, 2014, required the respondent to pay rental arrears in the amount of \$5,614.84 in minimum monthly installments of \$100 starting in November 2014, and to pay her rent on time in the future.

Rental Officer Order Number 20-15009 dated March 16, 2016, terminated the respondent's tenancy agreement March 31, 2016, unless at least \$1,850 was paid towards the respondent's rental arrears.

*Tenancy agreement*

The parties agreed and evidence was presented establishing a residential tenancy agreement between them for subsidized public housing commencing August 18, 2013. 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 lease ledgers 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 subsidized and are currently assessed at \$1,155 per month. The last payment received against the respondent's account was recorded February 1, 2017, in the amount of \$120 paid by ECE. The last payment made by the respondent against her rent account was recorded December 21, 2016, in the amount of \$580.

The respondent did not dispute the accuracy of the lease ledger, nor did she dispute the amount of accumulated rental arrears. The respondent testified that she has been unemployed since May 2016 and only received three months' of employment insurance. She has three adult children living with her, two of whom are working. The respondent indicated that she does not receive any help at home. She admitted that the change in household income since last spring has not been reported to the applicant, so there is no basis from which to expect the landlord to have been able to recalculate her rent subsidy to better reflect the current household income reality. It was suggested to the respondent that it may be prudent to reinforce to her working adult children the importance of their financial contributions towards the monthly rent.

I am satisfied the lease ledgers accurately reflect the current status of the respondent's rent account. I find the respondent has repeatedly failed to pay her rent, has repeatedly failed to comply with a rental officer order to pay her future rent on time, and has accumulated rental arrears since the last rental officer order in the amount of \$11,994.84.

*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 are justified. However, in order to give the respondent one more opportunity to resolve the arrears and show that she could comply with her obligation to pay her monthly rent on time, the applicant's representative agreed to withdraw their request for eviction if a long-term termination order could be issued conditional on the respondent paying the rental arrears in full and the future rents on time. I am satisfied this proposal is appropriate under the circumstances.

*Orders*

An order will issue: requiring the respondent to pay rental arrears in the amount of \$11,994.84; requiring the respondent to pay her future rent on time; and terminating the tenancy agreement August 31, 2017, unless the rental arrears are paid in full and the rents for March through August are paid on time.

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Adelle Guigon  
Rental Officer