

IN THE MATTER between **GRL**, Applicant, and **BC**, 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:

GRL

Applicant/Landlord

-and-

BC

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: February 28, 2017

Place of the Hearing: Yellowknife, Northwest Territories

Appearances at Hearing: JG, representing the applicant
JR, representing the applicant
RG, representing the applicant

Date of Decision: February 28, 2017

REASONS FOR DECISION

An application to a rental officer made by GRL as the applicant/landlord against BC as the respondent/tenant was filed by the Rental Office November 10, 2016. The application was made regarding a residential tenancy agreement for a rental premises located in Hay River, Northwest Territories. The applicant personally served a copy of the application on the respondent November 18, 2016, and served another copy by registered mail signed for November 21, 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, termination of the tenancy agreement, and eviction.

A hearing was scheduled for February 28, 2017, by three-way teleconference. JG, JR, and RG appeared representing the applicant. BC was sent notice of the hearing by registered mail deemed served February 15, 2017, pursuant to section 71(5) of the *Residential Tenancies Act* (the Act), and a detailed voicemail was left for him by the rental officer February 22, 2017. The respondent did not appear at hearing, nor did anyone appear on his behalf. The hearing proceeded in his absence pursuant to section 80(2) of the Act.

Tenancy agreement

The applicant's representatives testified and provided evidence establishing a residential tenancy agreement between the parties commencing March 30, 2016. I am satisfied a valid tenancy agreement is in place between the parties in accordance with the Act.

Rental arrears

The statements of account entered into evidence represent the landlord's accounting of monthly rent and payments made against the respondent's rent account. The rent was established at \$1,250 per month. The last payment received against the account was recorded October 4, 2016, in the amount of \$750.

I am satisfied the statements of account accurately reflect the current status of the respondent's rent account. I find the respondent has repeatedly and unreasonably failed to pay rent and has accumulated rental arrears in the amount of \$6,350.

Termination of the tenancy agreement and eviction

In consideration of the respondent's repeated and unreasonable failure to pay his 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 \$6,350; terminating the tenancy agreement February 28, 2017; evicting the respondent from the rental premises March 15, 2017; and requiring the respondent to pay compensation for use and occupation of the rental premises at a rate of \$41.10 for each day he remains in the rental premises after February 28, 2017.

Adelle Guigon
Rental Officer