

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

**MB**

Respondent/Tenant

**REASONS FOR DECISION**

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

**REASONS FOR DECISION**

An application to a rental officer made by LKHA on behalf of the NTHC as the applicant/landlord against MB 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 for a rental premises located in Lutselk'e, Northwest Territories. The applicant served 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, had accumulated rental arrears, and had failed to report his household income as required. An order was sought for payment of rental arrears, that future rent be paid on time, and that household income be reported as required.

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. MB was served notice of the hearing by registered mail sent January 16, 2017, which he refused to sign for at the post office. Service was deemed January 23, 2017, pursuant to section 71(5) of the *Residential Tenancies Act* (the Act). The respondent did not appear at the hearing, nor did anyone appear on his behalf. The hearing proceeded in the respondent's absence pursuant to section 80(2) of the Act.

*Previous orders*

Rental Officer Order Number 10-12990 dated October 3, 2012, required the respondent to pay rental arrears in the amount of \$27,385, required the respondent to pay his future rent on time, and required the respondent to report his household income as required.

Rental Officer Order Number 10-13861 dated March 14, 2014, rescinded Rental Officer Order 10-12990, required the respondent to pay rental arrears in the amount of \$8,084 in minimum monthly installments of \$50, and required the respondent to report his household income as required. This order was fully satisfied.

*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.

*Reporting of household income*

Subsequent to the filing of the application to a rental officer the respondent has satisfied his obligation to report his household income in accordance with his tenancy agreement. The applicant's representatives withdrew their request for an order that the respondent comply with this obligation.

*Rental arrears*

The account summary statement and 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 subsidized based on reported household income and are currently assessed at \$70 per month. The last three payments received on the account were recorded January 6, 2017, in the amount of \$280, January 5, 2017, in the amount of \$50, and June 9, 2016, in the amount of \$70.

I am satisfied the account summary statement and lease balance statements accurately reflect the current status of the respondent's rent account. I find the respondent has repeatedly failed to pay his rent and has accumulated rental arrears in the amount of \$2,570.77.

*Orders*

An order will issue requiring the respondent to pay rental arrears in the amount of \$2,570.77 and to pay his future rent on time.

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Adelle Guigon  
Rental Officer