

IN THE MATTER between **NTHC**, Applicant, and **AR and TM**, 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-

**AR and TM**

Respondents/Tenants

**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 AR and TM 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 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, had accumulated rental arrears, and had failed to comply with a rental officer order. An order was sought for payment of the rental arrears, that future rent be paid on time, to terminate the tenancy agreement, for eviction, and for compensation for use and occupation of the rental premises. The requests for termination, eviction, and compensation for use and occupation of the rental premises were withdrawn by the applicant's representatives at hearing.

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. AR and TM were served notices of the hearing by registered mail signed for by January 27, 2017. Neither of the respondents appeared at hearing, nor did anyone appear on their behalf. The hearing proceeded in their absences pursuant to section 80(2) of the *Residential Tenancies Act* (the Act).

#### *Previous orders*

Rental Officer Order Number 10-12996 dated October 2, 2012, required the respondents to pay rental arrears in the amount of \$35,194, required the respondents to pay their rent on time in the future, and required the respondents to report their household income as required.

Rental Officer Order Number 10-14323 dated December 15, 2014, required the respondents to pay rental arrears in the amount of \$1,470, required the respondents to pay their rent on time in the future, and terminated the tenancy agreement March 31, 2015, unless the rents for December, January, February, and March were paid on time and at least \$200 was paid towards the rental arrears.

*Tenancy agreement*

The applicant's representatives testified and provided evidence establishing a residential tenancy agreement between the parties for subsidized public housing commencing prior to April 2011. 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 respondents' rent account. All rents have been subsidized based on reported household income and are currently assessed at \$325 per month. The last three payments made against the rent account were recorded: January 25, 2017, in the amount of \$2,504 by the Homelessness Assistance Fund; June 23, 2016, in the amount of \$140 by ECE; and June 9, 2016, in the amount of \$5,694.25 described as CRA Remittance.

I am satisfied the lease balance statements accurately reflect the current status of the respondents' rent account. I find the respondents have repeatedly failed to pay their rent, have failed to comply with a rental officer order to pay their future rent on time, and have accumulated rental arrears in the amount of \$7,534.14.

*Orders*

An order will issue requiring the respondents to pay rental arrears in the amount of \$7,534.14 and to pay their rent on time in the future.

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Adelle Guigon  
Rental Officer