

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

RF

Respondent/Tenant

REASONS FOR DECISION

<u>Date of the Hearing:</u>	January 31, 2017
<u>Place of the Hearing:</u>	Lutselk'e, Northwest Territories
<u>Appearances at Hearing:</u>	MRC, representing the applicant EN, representing the applicant RF, respondent
<u>Date of Decision:</u>	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 RF 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 September 28, 2016.

The applicant alleged the respondent had repeatedly failed to pay rent and had accumulated rental arrears. An order was sought for payment of rental arrears.

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. RF appeared as respondent.

Previous orders

Rental Officer Order Number 10-12992 dated October 3, 2012, required the respondent to pay rental arrears in the amount of \$41,023 in minimum monthly installments of \$100 starting September 2012, 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Rental Officer Order Number 10-13874 dated March 11, 2014, rescinded Rental Officer Order Number 10-12992, required the respondent to pay rental arrears in the amount of \$14,725, required the respondent to report his household income as required, and terminated the tenancy agreement April 30, 2014, unless the rental arrears were paid in full and the household income was reported.

Tenancy agreement

The parties agreed and evidence was presented establishing a residential tenancy agreement between them for subsidized public housing commencing December 9, 2003. The parties agreed the tenancy agreement ended when the respondent vacated the rental premises February 29, 2016. I am satisfied a valid tenancy agreement was in place between the parties in accordance with the *Residential Tenancies Act* (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 security deposit of \$301.12 was applied against the rental arrears on March 18, 2016. The last two payments received against the rent account were recorded March 25, 2015, in the amount of \$100 and November 28, 2014, in the amount of \$150.

The respondent did not dispute carrying rental arrears. He indicated being unsure that all payments he's made have been recorded, but provided no evidence of additional payments.

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 his rent and has accumulated rental arrears in the amount of \$16,741.30. Of that, \$2,016.30 represents the amount of rental arrears that have accumulated since the issuance of Rental Officer Order Number 10-13874. Rental Officer Order Number 10-13874 ordering the respondent to pay rental arrears in the amount of \$14,725 remains enforceable until August 31, 2018.

Order

An order will issue requiring the respondent to pay the additionally accumulated rental arrears in the amount of \$2,016.30.

Adelle Guigon
Rental Officer