

IN THE MATTER between **NTHC**, Applicant, and **PC and KS**, 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-

PC and KS

Respondents/Tenants

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
<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 PC and KS 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 their rent, had repeatedly failed to comply with a rental officer order, and had accumulated rental arrears. An order was sought for payment of the rental arrears, termination of the tenancy agreement, eviction, and compensation for use and occupation of the rental premises.

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. PC and KS were sent notices of attendance by registered mail to their last known address deemed served January 23, 2017, pursuant to section 71(5) of the *Residential Tenancies Act* (the Act). The applicant's representatives confirmed that the respondents vacated the rental premises and left the community at the end of November 2016 and did not leave a forwarding address. Neither of the respondents appeared at the hearing, nor did anyone appear on their behalf. The hearing proceeded in their absence pursuant to section 80(2) of the Act.

Previous orders

Rental Officer Order Number 10-12989 dated October 3, 2012, required the respondents to pay rental arrears in the amount of \$3,767, and required the respondents to pay their future rent on time.

Rental Officer Order Number 10-14320 dated December 5, 2014, required the respondents to pay rental arrears in the amount of \$6,435 in minimum monthly installments of \$60 starting in December 2014, required the respondents to pay their rent on time in the future, and terminated the tenancy agreement March 31, 2015, unless the minimum monthly installments and rents for December, January, February, and March were paid on time.

Tenancy agreement

The applicant's representatives testified and presented evidence establishing a residential tenancy agreement between the parties for subsidized public housing commencing April 1, 2012. As previously mentioned, the respondents vacated the rental premises at the end of November 2016. I am satisfied a valid tenancy agreement was 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. The applicant's representatives testified that the current balance of rental arrears represents unpaid rent accumulated since the last rental officer order was issued.

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 and have accumulated rental arrears in the amount of \$13,037.52.

Orders

An order will issue requiring the respondents to pay rental arrears in the amount of \$13,037.52.

Adelle Guigon
Rental Officer