

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

NF

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: March 7, 2017

Place of the Hearing: Tuktoyaktuk, Northwest Territories

Appearances at Hearing: LP, representing the applicant

Date of Decision: March 7, 2017

REASONS FOR DECISION

An application to a rental officer made by Tuktoyaktuk Housing Association on behalf of the NTHC as the applicant/landlord against NF as the respondent/tenant was filed by the Rental Office November 18, 2016. The application was made regarding a subsidized public housing residential tenancy agreement for a rental premises located in Tuktoyaktuk, Northwest Territories. The applicant personally served a copy of the filed application on the respondent November 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 the rental arrears and termination of the tenancy agreement.

A hearing was scheduled for March 7, 2017, in Tuktoyaktuk, Northwest Territories. The rental officer appeared by telephone. LP appeared representing the applicant. NF was served notice of the hearing by registered mail signed for February 22, 2017. The respondent did not appear at the hearing, nor did anyone appear on her behalf. The hearing proceeded in the respondent's absence pursuant to section 80(2) of the *Residential Tenancies Act* (the Act).

Tenancy agreement

The applicant's representative testified and provided evidence establishing a residential tenancy agreement between the parties for subsidized public housing commencing July 24, 2014. I am satisfied a valid tenancy agreement is in place between the parties in accordance with the Act.

Rental arrears

The lease balance statement and lease ledger 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 current subsidized rent has been assessed at \$555 per month. The last three payments received against the respondent's rent account were recorded: February 6, 2017, in the amount of \$170; January 10, 2017, in the amount of \$170; and December 2, 2016, in the amount of \$170.

I am satisfied the lease balance statement and lease ledger accurately reflect the current status of the respondent's rent account. I find the respondent has repeatedly failed to pay rent and has accumulated rental arrears in the amount of \$3,846.44.

Termination of the tenancy agreement and eviction

In consideration of the respondent's repeated failure to pay the full amount of rent and the substantial amount of rental arrears accumulated, I am satisfied termination of the tenancy agreement and eviction are justified. By agreement with the applicant's representative, I am satisfied conditional termination and eviction dependent on payment of at least \$1,000 towards the rental arrears and the payment on time of future monthly rent is reasonable.

Orders

An order will issue: requiring the respondent to pay rental arrears in the amount of \$3,846.44; requiring the respondent to pay her rent on time in the future; terminating the tenancy agreement June 30, 2017, unless at least \$1,000 is paid towards the rental arrears and the rents for April, May, and June are paid on time; and evicting the respondent from the rental premises July 1, 2017, if the termination of the tenancy agreement becomes effective.

Adelle Guigon
Rental Officer