

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

TM and AA

Respondents/Tenants

REASONS FOR DECISION

<u>Date of the Hearing:</u>	February 7, 2017
<u>Place of the Hearing:</u>	Behchoko, Northwest Territories
<u>Appearances at Hearing:</u>	EN, representing the applicant LC, representing the applicant
<u>Date of Decision:</u>	February 7, 2017

REASONS FOR DECISION

An application to a rental officer made by BKGK as the applicant/landlord against TM and AA as the respondents/tenants was filed by the Rental Office September 30, 2016. The application was made regarding a subsidized public housing residential tenancy agreement for a rental premises located in Behchoko, Northwest Territories. The applicant personally served the filed application on the respondents October 3, 2016.

The applicant alleged the respondents had repeatedly failed to pay rent and had accumulated rental arrears. An order was sought for payment of the rental arrears and that future rent be paid on time. The applicant's representatives at hearing withdrew the applicant's original request for conditional termination of the tenancy agreement and eviction.

A hearing was scheduled for February 7, 2017, in Behchoko, Northwest Territories. EN and LC appeared representing the applicant. TM and AA were sent notices of the hearing by registered mail deemed served January 25, 2017, pursuant to section 71(5) of the *Residential Tenancies Act* (the Act). Neither of the respondents appeared at hearing, nor did anyone appear on their behalf. The hearing proceeded in their absence pursuant to section 80(2) of the Act.

Preliminary matters

The application to a rental officer identified the landlord as BKGK. The written tenancy agreement identified the landlord as NTHC with BKGK as its agent. The applicant's representatives agreed the application should be amended to identify the applicant/landlord as NTHC, and the style of cause going forward will reflect this amendment.

Tenancy agreement

The applicant's representatives testified and provided evidence establishing a residential tenancy agreement between the parties for subsidized public housing commencing July 16, 2013. I am satisfied a valid tenancy agreement is in place between the parties in accordance with the Act.

Rental arrears

The lease balance statements and ledgers 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 \$75 per month. The last three payments received against the account were recorded: December 13, 2016, in the amount of \$200; December 1, 2016, in the amount of \$75; and November 4, 2016, in the amount of \$75.

I am satisfied the lease balance statements and ledgers 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.

Orders

An order will issue: requiring the respondents to pay rental arrears in the amount of \$1,302 and requiring the respondents to pay their rent on time in the future.

Adelle Guigon
Rental Officer