

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

DA

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: February 16, 2017

Place of the Hearing: Yellowknife, Northwest Territories

Appearances at Hearing: FG, representing the applicant
SJ, representing the applicant

Date of Decision: February 16, 2017

REASONS FOR DECISION

An application to a rental officer made by UHA on behalf of the NTHC as the applicant/landlord against DA as the respondent/tenant was filed by the Rental Office October 18, 2016. The application was made regarding a subsidized public housing residential tenancy agreement for a rental premises located in Ulukhaktok, Northwest Territories. The applicant personally served the filed application on the respondent November 15, 2016.

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

A hearing was scheduled for February 16, 2016, by three-way teleconference. FG and SJ appeared representing the applicant. DA was served notice of the hearing by registered mail signed for January 27, 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 representatives testified and provided evidence establishing a residential tenancy agreement between the parties for subsidized public housing commencing May 9, 2011, and ending August 31, 2016, when the respondent vacated the rental premises. I am satisfied a valid tenancy agreement was in place between the parties in accordance with the Act.

Rental arrears

The tenant ledger cards and 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 subsidized based on reported household income.

I am satisfied the tenant ledger cards and lease balance statements accurately reflect the current status of the respondent's rent account. I find the respondent has accumulated rental arrears in the amount of \$6,587.96.

Damages

The applicant's representatives testified and provided evidence of damages occurring between January 2015 and July 2016 against which only partial payment has been made. The damages consist of a broken deadbolt, a broken oven door, two lock-out calls, two broken exterior door backsets, and a broken bathroom door. The evidence presented supports the claim that the damages were caused by the respondent or persons permitted in the rental premises by the respondent. The partial payment received against the costs of repairs supports the likelihood that the respondent has accepted responsibility for the claimed damages.

I am satisfied the claimed damages were caused by or the responsibility of the respondent. I find the respondent liable for the costs of repairs in the amount of \$1,852.55.

Orders

An order will issue requiring the respondent to pay rental arrears in the amount of \$6,587.96 and requiring the respondent to pay costs for repairs in the amount of \$1,852.55.

Adelle Guigon
Rental Officer