

IN THE MATTER between **NTHC**, Applicant, and **ES and JS**, 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-

ES and JS

Respondents/Tenants

REASONS FOR DECISION

Date of the Hearing: March 2, 2017

Place of the Hearing: Fort Smith, Northwest Territories

Appearances at Hearing: CS, representing the applicant

Date of Decision: March 2, 2017

REASONS FOR DECISION

An application to a rental officer made by FSHA on behalf of the NTHC as the applicant/landlord against ES and JS as the respondents/tenants was filed by the Rental Office November 4, 2016. The application was made regarding a subsidized public housing residential tenancy agreement for a rental premises located in Fort Smith, Northwest Territories. The applicant served the filed application on the respondents by registered mail signed for November 21, 2016.

The applicant alleged the respondents had repeatedly failed to pay rent, had caused damages to the rental premises, and had accumulated rental arrears. An order was sought for payment of rental arrears, payment of costs for repairs, termination of the tenancy agreement, and eviction.

A hearing was scheduled for March 2, 2017, in Fort Smith, Northwest Territories. The rental officer appeared by telephone. CS appeared representing the applicant. ES and JS were served notice of the hearing by registered mail signed for February 16, 2017. 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 *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 October 9, 2015. I am satisfied a valid tenancy agreement is in place in accordance with the Act.

Rental arrears

The applicant's representative testified and provided evidence establishing that, since the filing of the application to a rental officer, the respondents had successfully paid all outstanding arrears in full and that they currently carry a credit to their rent account. The application for payment of rental arrears, payment of costs for repairs, termination of the tenancy agreement, and eviction was withdrawn.

The lease balance statements entered into evidence support the applicant's claim that the respondents have previously been late paying the full amount of their rent. I am satisfied the lease balance statements accurately reflect the current status of the respondents' rent account. An order will issue requiring the respondents to pay their rent on time in the future.

Adelle Guigon
Rental Officer