

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

DG

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: March 8, 2017

Place of the Hearing: Inuvik, Northwest Territories

Appearances at Hearing: KB, representing the applicant

Date of Decision: March 8, 2017

REASONS FOR DECISION

An application to a rental officer made by IHA on behalf of the NTHC as the applicant/landlord against DG 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 Inuvik, Northwest Territories. The applicant served the filed application on the respondent by registered mail signed for December 16, 2016.

The applicant alleged the former tenant had failed to pay overholding rent and sought an order for payment.

A hearing was scheduled for March 8, 2017, in Inuvik, Northwest Territories. The rental officer appeared by telephone. KB appeared representing the applicant. DG was served notice of the hearing by registered mail signed for February 17, 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 evidence was presented establishing a residential tenancy agreement between the parties for subsidized public housing. The tenancy agreement was for a fixed term from September 1 to 30, 2015. The applicant gave the respondent notice on September 21, 2015, that they would not be renewing the tenancy agreement. As such, the tenancy agreement terminated September 30, 2015, pursuant to section 51(4) of the Act. I am satisfied a valid tenancy agreement was in place and was terminated in accordance with the Act.

Rental arrears

The respondent vacated the rental premises October 22, 2015. As the tenancy agreement was terminated effective September 30, 2015, the respondent was no longer eligible for any rent subsidies, so the maximum monthly rent of \$1,625 was prorated for October 1st to 22nd to amount to \$1,153.

The respondent made several payments towards her arrears, and on July 27, 2016, she signed an agreement to pay the remaining \$1,049.62 in minimum monthly installments of \$50 starting in August 2016. The respondent has substantially complied with the agreement to pay. The last payment received against the account was recorded February 24, 2017, in the amount of \$50. The respondent has successfully reduced the amount of arrears owing to date to \$799.62, which represents the remaining amount of overholding rent for October 2015.

I am satisfied the lease balance statements and customer transaction details accurately reflect the current status of the respondent's rent account. I find the respondent has accumulated overholding rental arrears in the amount of \$799.62.

Orders

An order will issue requiring the respondent to pay compensation for use and occupation of the rental premises in the amount of \$799.62.

Adelle Guigon
Rental Officer