

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

**BK**

Respondent/Tenant

**REASONS FOR DECISION**

**Date of the Hearing:** April 12, 2017

**Place of the Hearing:** Ulukhaktok, Northwest Territories

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

**Date of Decision:** April 12, 2017

**REASONS FOR DECISION**

An application to a rental officer made by UHA on behalf of the NTHC as the applicant/landlord against BK as the respondent/tenant was filed by the Rental Office November 25, 2016. The application was made regarding a subsidized public housing residential tenancy agreement for a rental premises located in Ulukhaktok, Northwest Territories. The applicant served the filed application on the respondent by registered mail signed for January 12, 2017.

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, that future rent be paid on time, termination of the tenancy agreement, and eviction.

A hearing was scheduled for April 12, 2017, in Ulukhaktok, Northwest Territories. FG and SJ appeared representing the applicant. BK was served notice of the hearing by registered mail signed for March 24, 2017. The respondent did not appear at the hearing, nor did anyone appear on his 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 July 24, 2006. I am satisfied a valid tenancy agreement is in place in accordance with the Act.

*Rental arrears*

The 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 and are currently assessed at \$140 per month. No payments were received against the respondent's rent account between June 2016 and January 2017.

I am satisfied the lease balance statements accurately reflect the current status of the respondent's rent account. I find the respondent has repeatedly failed to pay the rent and has accumulated rental arrears in the amount of \$7,210.63.

*Termination of the tenancy agreement and eviction*

In consideration of the respondent's repeated failure to pay the rent and the substantial amount of rental arrears accumulated, I am satisfied termination of the tenancy agreement and eviction are justified. In recognition of the respondent's efforts since January 2017 to make payments over and above the monthly assessed rent amount towards his rental arrears, and by agreement with the applicant's representatives, the termination and eviction will be conditional upon the respondent paying at least \$1,000 towards the rental arrears by July 31, 2017, and paying his monthly rent on time.

*Orders*

An order will issue: requiring the respondent to pay rental arrears in the amount of \$7,210.63; requiring the respondent to pay his future rent on time; terminating the tenancy agreement July 31, 2017, unless at least \$1,000 is paid towards the rental arrears and the rents for May, June, and July are paid on time; and evicting the respondent from the rental premises August 1, 2017, if the termination of the tenancy agreement becomes effective.

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Adelle Guigon  
Rental Officer