

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

DI

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: March 21, 2017

Place of the Hearing: Fort Simpson, Northwest Territories

Appearances at Hearing: HG, representing the applicant

Date of Decision: March 21, 2017

REASONS FOR DECISION

An application to a rental officer made by FSHA on behalf of the NTHC as the applicant/landlord against DI as the respondent/tenant was filed by the Rental Office November 30, 2016. The application was made regarding a subsidized public housing residential tenancy agreement for a rental premises located in Fort Simpson, Northwest Territories. The applicant served the filed application on the respondent by registered mail signed for December 13, 2016.

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 and that future rent be paid on time.

A hearing was scheduled for March 21, 2017, in Fort Simpson, Northwest Territories. The Rental Officer appeared by telephone. HG appeared representing the applicant. DI was served notice of the hearing by registered mail deemed served March 9, 2017, pursuant to section 71(5) of the *Residential Tenancies Act* (the Act). A detailed voicemail was also left for DI on March 16, 2017. The respondent contacted the Rental Officer on March 20, 2017, confirming receipt of the voicemail. The respondent explained that she is currently in Hay River and cannot attend the hearing, but did not dispute the claimed debt and was not requesting postponement of the hearing. The respondent indicated she would try to have a friend appear on her behalf, but otherwise had no objection to the hearing proceeding in her absence. The respondent did not appear at the hearing, nor did anyone appear on her behalf. The hearing did proceed in the respondent's absence pursuant to section 80(2) of the Act.

Tenancy agreement

The applicant's representative testified and provided evidence establishing a residential tenancy agreement between the parties for subsidized housing under the Homeownership Entry Level Program (HELP) commencing April 1, 2014. I am satisfied a valid tenancy agreement is in place between the parties in accordance with the *Residential Tenancies Act* (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 under the HELP guidelines and are currently assessed at \$400 per month. Four months' rent have not been paid in full.

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 full amount of her rent when due and has accumulated rental arrears in the amount of \$1,400.

Orders

An order will issue requiring the respondent to pay rental arrears in the amount of \$1,400 and to pay her future rent on time.

Adelle Guigon
Rental Officer