

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

BK and LP

Respondents/Tenants

REASONS FOR DECISION

Date of the Hearing: March 21, 2017
Place of the Hearing: Yellowknife, 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 BK and LP as the respondents/tenants 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 Samba K'e, Northwest Territories. The applicant served the filed application on the respondents by registered mail signed for December 19, 2016.

The applicant alleged the respondents had repeatedly failed to pay rent, had failed to comply with a rental officer order, and had accumulated rental arrears. An order was sought for payment of the rental arrears, that future rent be paid on time, and for termination of the tenancy agreement.

A hearing was scheduled for March 21, 2017, by three-way teleconference. HG appeared representing the applicant. BK and LP were served notice of the hearing by registered mail signed for March 11, 2017. The respondents did not appear at the hearing, nor did anyone appear on their behalf. The hearing proceeded in the respondents' absence pursuant to section 80(2) of the *Residential Tenancies Act* (the Act).

Previous orders

Rental Officer Order Number 10-12396 dated November 3, 2011, required the respondents to pay their future rent on time.

Rental Officer Order Number 10-14550 dated March 19, 2015, required the respondents to pay rental arrears in the amount of \$880 and terminated their tenancy agreement April 10, 2015, unless the rental arrears and the rent for April 2015 was paid in full. The monetary order for payment of the rental arrears has been satisfied.

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, 2012. I am satisfied a valid tenancy agreement is in place between the parties 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 respondents' rent account. All rents have been subsidized under the HELP guidelines and are currently assessed at \$375 per month. The last three payments received against the respondents' rent account were recorded: March 14, 2017, in the amount of \$375; December 14, 2016, in the amount of \$375; and November 14, 2016, in the amount of \$375.

I am satisfied the lease balance statements entered into evidence accurately reflect the current status of the respondents' rent account. I find the respondents have repeatedly failed to pay their rent, have repeatedly failed to comply with a rental officer order to pay their future rent on time, and have accumulated rental arrears in the amount of \$4,025.

Termination of the tenancy agreement

The applicant's representative withdrew their request for termination of the tenancy agreement at hearing.

Orders

An order will issue requiring the respondents to pay rental arrears in the amount of \$4,025 and to pay their future rent on time.

Adelle Guigon
Rental Officer