

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

BY

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: April 27, 2017

Place of the Hearing: Deline, Northwest Territories

Appearances at Hearing: PK, representing the applicant

Date of Decision: April 27, 2017

REASONS FOR DECISION

An application to a rental officer made by DHA on behalf of the NTHC as the applicant/landlord against BY as the respondent/tenant was filed by the Rental Office February 20, 2017. The application was made regarding a subsidized public housing residential tenancy agreement for a rental premises located in Deline, Northwest Territories. The filed application was personally served on the respondent March 7, 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, termination of the tenancy agreement, and eviction.

A hearing was scheduled for April 27, 2017, in Deline, Northwest Territories. The Rental Officer appeared by telephone. PK appeared representing the applicant. BY was served notice of the hearing by registered mail signed for April 13, 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 provided evidence establishing a residential tenancy agreement between the parties for subsidized public housing commencing September 1, 2013. I am satisfied a valid tenancy agreement is in place in accordance with the Act.

Rental arrears

The lease ledgers entered into evidence represent the landlord's accounting of monthly assessed rents and payments received against the respondent's rent account. All rents have been subsidized and are currently assessed at \$70 per month. No payments were received against the respondent's rent account between September 30, 2016, and March 30, 2017. One payment was received on March 31, 2017, in the amount of \$200.

I am satisfied the lease ledger accurately reflects the current status of the respondent's rent account. I find the respondent has repeatedly failed to pay the full amount of rent when due and has accumulated rental arrears in the amount of \$180.

Termination of the tenancy agreement and eviction

The applicant's representative requested at hearing that an order issue for termination of the tenancy agreement and eviction conditional on the respondent paying the rental arrears in full and paying her future rent on time. In consideration of the respondent's repeated pattern of failing to pay her rent when due, I am satisfied the applicant's request for conditional termination and eviction is justified and reasonable.

Orders

An order will issue:

- requiring the respondent to pay rental arrears in the amount of \$180;
- requiring the respondent to pay her future rent on time;
- terminating the tenancy agreement July 31, 2017, unless the rental arrears are paid in full 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.

Adelle Guigon
Rental Officer