

IN THE MATTER between **NPRLP**, Applicant, and **SB**, 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:

NPRLP

Applicant/Landlord

-and-

SB

Respondent/Tenant

REASONS FOR DECISION

<u>Date of the Hearing:</u>	June 8, 2017
<u>Place of the Hearing:</u>	Yellowknife, Northwest Territories
<u>Appearances at Hearing:</u>	BL, representing the applicant CDL, representing the applicant FY, representing the applicant
<u>Date of Decision:</u>	June 8, 2017

REASONS FOR DECISION

An application to a rental officer made by NPRLP as the applicant/landlord against SB as the respondent/tenant was filed by the Rental Office March 9, 2017. The application was made regarding a residential tenancy agreement for a rental premises located in Yellowknife, Northwest Territories. The applicant served the filed application on the respondent by email deemed received May 7, 2017, pursuant to section 4(4) of the *Residential Tenancies Regulations* (the Regulations).

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 June 8, 2017, in Yellowknife, Northwest Territories. BL, CDL, and FY appeared representing the applicant. SB was served notice of the hearing by email deemed received May 22, 2017, pursuant to section 4(4) of the Regulations. 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 of a residential tenancy agreement between the parties commencing September 11, 2015. I am satisfied a valid tenancy agreement is in place between the parties in accordance with the Act.

Rental arrears

The resident ledgers entered into evidence represent the landlord's accounting of monthly rent, late payment penalties, and payments received against the respondent's rent account. The current monthly rent was established at \$1,250 and is due the first of the month. The late payment penalties have been calculated in accordance with the Act and Regulations. The last four payments received against the respondent's rent account were recorded: May 25, 2017, in the amount of \$500; May 5, 2017, in the amount of \$1,000; April 7, 2017, in the amount of \$1,200; and February 24, 2017, in the amount of \$1,000.

I am satisfied the resident 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 her rent when due and has accumulated rental arrears in the amount of \$5,329.

Termination of the tenancy agreement and eviction

In consideration of the respondent's repeatedly failure to pay her rent and the substantial amount of rental arrears accumulated, I am satisfied termination of the tenancy agreement and eviction are justified.

Orders

An order will issue: requiring the respondent to pay rental arrears in the amount of \$5,329; terminating the tenancy agreement June 30, 2017; evicting the respondent from the rental premise July 1, 2017; and requiring the respondent to pay compensation for use and occupation at a rate of \$41.10 for each day she remains in the rental premises after June 30, 2017.

Adelle Guigon
Rental Officer