

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

PK

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: May 24, 2017

Place of the Hearing: Sachs Harbour, Northwest Territories

Appearances at Hearing: DK, representing the applicant
BL, representing the applicant

Date of Decision: May 24, 2017

REASONS FOR DECISION

An application to a rental officer made by SHHA on behalf of the NTHC as the applicant/landlord against PK as the respondent/tenant was filed by the Rental Office February 24, 2017. The application was made regarding a subsidized public housing residential tenancy agreement for a rental premises located in Sachs Harbour, 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 rental arrears, for future rent to be paid on time, for termination of the tenancy agreement, and for eviction.

A hearing was scheduled for May 24, 2017, in Sachs Harbour, Northwest Territories. The Rental Officer appeared by telephone. DK appeared representing the applicant. BL appeared by telephone representing the applicant. PK was served notice of the hearing by registered mail signed for May 12, 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 April 1, 2012. 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 and are currently assessed at \$70 per month. The last payment received against the rent account was recorded July 29, 2016, in the amount of \$100.

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 his rent and has accumulated rental arrears in the amount of \$1,725.

Termination of the tenancy agreement and eviction

In light of the respondent's repeated and unreasonable failure to pay his rent and the substantial amount of subsidized rental arrears accumulated, I am satisfied termination of the tenancy agreement and eviction are justified. By agreement with the applicant's representatives, the termination and eviction will be conditional on the respondent paying at least \$200 towards his rental arrears by August 31, 2017, and paying his rents for June, July, and August on time.

Orders

An order will issue:

- requiring the respondent to pay rental arrears in the amount of \$1,735;
- requiring the respondent to pay his future rent on time;
- terminating the tenancy agreement August 31, 2017, unless at least \$200 is paid towards the rental arrears and the rents for June, July, and August are paid on time; and
- evicting the respondent from the rental premises September 1, 2017, if the termination of the tenancy agreement becomes effective.

Adelle Guigon
Rental Officer