

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

RAL

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: May 4, 2017

Place of the Hearing: Behchoko, Northwest Territories

Appearances at Hearing: EN, representing the applicant
RAL, respondent

Date of Decision: May 4, 2017

REASONS FOR DECISION

An application to a rental officer made by BKGK on behalf of the NTHC as the applicant/landlord against RAL as the respondent/tenant was filed by the Rental Office March 1, 2017. The application was made regarding a subsidized public housing residential tenancy agreement for a rental premises located in Behchoko, Northwest Territories. The filed application was personally served on the respondent April 10, 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, eviction, and compensation for use and occupation.

A hearing was scheduled for May 4, 2017, in Behchoko, Northwest Territories. EN appeared representing the applicant. RAL appeared as respondent.

Tenancy agreement

The parties agreed and evidence was presented establishing a residential tenancy agreement between them for subsidized public housing commencing April 1, 2012. 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, lease ledger, rent account spreadsheet, and tenant ledger cards (documents) 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 \$580 per month. No payments or insufficient payments were received for rent in nine of the last 18 months. Recent payments since filing of the application have reduced the rental arrears balance.

The respondent did not dispute either the accuracy of the landlord's accounting or the amount of rental arrears claimed. The respondent acknowledged and accepted responsibility for her debt.

I am satisfied the documents accurately reflect the current status of the respondent's rent account. I find the respondent has repeatedly failed to pay her rent and has accumulated rental arrears in the amount of \$20,679.

Termination of the tenancy agreement and eviction

In light of the respondent's repeated 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. By agreement between the parties, the termination and eviction will be conditional on at least \$3,000 being paid towards the rental arrears by the end of October 2017 and the future rents being paid on time.

Orders

An order will issue:

- requiring the respondent to pay rental arrears in the amount of \$20,679;
- requiring the respondent to pay her future rent on time;
- terminating the tenancy agreement October 31, 2017, unless at least \$3,000 is paid towards the rental arrears and the rents for June to October are paid on time; and
- evicting the respondent from the rental premises November 1, 2017, if the termination of the tenancy agreement becomes effective.

Adelle Guigon
Rental Officer