

IN THE MATTER between **HRMHP**, Applicant, and **KL**, 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:

**HRMHP**

Applicant/Landlord

-and-

**KL**

Respondent/Tenant

**REASONS FOR DECISION**

**Date of the Hearing:** June 14, 2017

**Place of the Hearing:** Hay River, Northwest Territories

**Appearances at Hearing:** CB, representing the applicant

**Date of Decision:** June 14, 2017

### **REASONS FOR DECISION**

An application to a rental officer made by HRMHP as the applicant/landlord against KL as the respondent/tenant was filed by the Rental Office April 12, 2017. The application was made regarding a residential tenancy agreement for a rental premises located in Hay River, Northwest Territories. The filed application was sent to the respondent by registered mail deemed served May 4, 2017, pursuant to section 71(5) of the *Residential Tenancies Act* (the Act) and served again by email deemed received June 13, 2017, pursuant to section 4(4) of the *Residential Tenancies Regulations* (the Regulations).

The applicant alleged the respondent had repeatedly failed to pay his rent and had accumulated rental arrears. An order was sought for payment of the rental arrears and payment of future rent on time.

A hearing was scheduled for June 14, 2017, in Hay River. The Rental Officer appeared by telephone. CB appeared representing the applicant. KL was served with notice of the hearing by email deemed received May 28, 2017, pursuant to section 4(4) of the Regulations. The respondent did not appear at the hearing, nor did anyone appear on the respondent's behalf. The hearing proceeded in the respondent's absence pursuant to section 80(2) of the Act.

#### *Tenancy agreement*

The applicant's representative testified and provided evidence establishing a residential tenancy agreement between the parties for the rental of a mobile home lot commencing July 20, 1999. I am satisfied a valid tenancy agreement is in place in accordance with the Act.

#### *Previous orders*

Rental Officer Order Number 10-8958 dated April 13, 2006, required the respondent to pay rental arrears in the amount of \$1,830 and to pay his future rent on time.

Rental Officer Order Number 10-10764 dated April 19, 2009, required the respondent to pay rental arrears in the amount of \$1,054 and to pay his future rent on time.

Rental Officer Order Number 10-13449 dated June 10, 2013, required the respondent to pay rental arrears in the amount of \$769 and to pay his future rent on time.

Rental Officer Order Number 10-14789 dated October 1, 2015, required the respondent to pay rental arrears in the amount of \$3,455 and to pay his future rent on time. This order is currently being enforced by garnishments.

*Rental arrears*

The tenant statement entered into evidence represents the landlord's accounting of rental arrears. The rent was established at \$260 per month. The last two payments received directly from the respondent against the rent account were recorded June 5 and May 29, 2017, in the amounts of \$350 each. The applicant is claiming rental arrears in the amount of \$3,330.25 accumulated since Rental Officer Order Number 10-14789 was issued.

I am satisfied the tenant statement accurately reflects the current status of the respondent's rent account. I find the respondent has repeatedly failed to pay the full amount of his rent when due and has accumulated rental arrears in the amount of \$3,330.25.

*Orders*

An order will issue requiring the respondent to pay rental arrears in the amount of \$3,330.25 and to pay his future rent on time.

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Adelle Guigon  
Rental Officer