

IN THE MATTER between **NTHC**, Applicant, and **JB and SK**, Respondents.

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-

JB and SK

Respondents/Tenants

REASONS FOR DECISION

Date of the Hearing: July 27, 2017

Place of the Hearing: Fort Liard, Northwest Territories

Appearances at Hearing: EM, representing the applicant

Date of Decision: July 27, 2017

REASONS FOR DECISION

An application to a rental officer made by FLHA on behalf of the NTHC as the applicant/landlord against JB and SK as the respondents/tenants was filed by the Rental Office May 10, 2017. The application was made regarding a subsidized public housing residential tenancy agreement for a rental premises located in Fort Liard, Northwest Territories. The filed application was served on the respondents by registered mail signed for May 26, 2017.

The applicant alleged the respondents had repeatedly failed to pay rent and had accumulated rental arrears. An order was sought for payment of the rental arrears, payment of future rent on time, and termination of the tenancy agreement.

A hearing was scheduled for July 27, 2017, in Fort Liard, Northwest Territories. The Rental Officer appeared by telephone. EM appeared representing the applicant. JB and SK were sent notice of the hearing by registered mail deemed served July 17, 2017, pursuant to section 71(5) of the *Residential Tenancies Act* (the Act). The respondents did not appear at the hearing, nor did anyone appear on their behalf. The hearing proceeded in the respondents' 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 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 received against the respondents' rent account. All rents have been subsidized and are currently assessed at \$580 per month. No payments or insufficient payments were received in eight of the last 18 months.

I am satisfied the lease balance statements accurately reflect the current status of the respondents' rent account. I find the respondents have repeatedly failed to pay the full amount of rent when due and have accumulated rental arrears in the amount of \$3,773.

Termination of the tenancy agreement and eviction

In light of the respondents' repeatedly failure to pay their rent and the amount of rental arrears accumulated, I am satisfied termination of the tenancy agreement and eviction are justified. By agreement with the applicant's representative, the termination and eviction will be conditional on the respondents paying the rental arrears in full and paying their rent on time in the future.

Orders

An order will issue:

- requiring the respondents to pay rental arrears in the amount of \$3,773;
- requiring the respondents to pay their rent on time in the future;
- terminating the tenancy agreement October 31, 2017, unless the rental arrears are paid in full and the rents for August, September, and October are paid on time; and
- evicting the respondents from the rental premises November 1, 2017, if the termination of the tenancy agreement becomes effective.

Adelle Guigon
Rental Officer