

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

**ES**

Respondent/Tenant

**REASONS FOR DECISION**

<b><u>Date of the Hearing:</u></b>	<b>October 18, 2017</b>
<b><u>Place of the Hearing:</u></b>	<b>Yellowknife, Northwest Territories</b>
<b><u>Appearances at Hearing:</u></b>	<b>JB, representing the applicant</b>
<b><u>Date of Decision:</u></b>	<b>October 18, 2017</b>

**REASONS FOR DECISION**

An application to a rental officer made by NWHHA on behalf of the NTHC as the applicant/landlord against ES as the respondent/tenant was filed by the Rental Office April 27, 2017. The application was made regarding a subsidized public housing residential tenancy agreement for a rental premises located in Norman Wells, Northwest Territories. The filed application was served on the respondent by registered mail signed for May 11, 2017.

The applicant alleged the respondent had failed to report his income as required, had repeatedly failed to pay the rent when due, and had accumulated rental arrears. An order was sought for reporting of income as required, payment of rental arrears, payment of future rent on time, termination of the tenancy agreement, and eviction.

A hearing was scheduled for October 18, 2017, by three-way teleconference. JB appeared representing the applicant. ES was served notice of the hearing by registered mail signed for October 2, 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 subsection 80(2) of the *Residential Tenancies Act* (the Act).

*Tenancy agreement*

The applicant's representative testified and presented 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 rent and payments made against the respondent's rent account. All rents have been subsidized and are currently assessed at \$80 per month. The last two payments received against the respondent's rent account were recorded June 8, 2017, in the amount of \$320 and February 3, 2017, in the amount of \$320.

At the time of filing the application the respondent had failed to report his household income as required, resulting in the application of unsubsidized rent for the period of July 2016 to June 2017. Since then, the respondent has reported his household income as required, resulting in the application of eligible subsidies and the reduction of the balance of rental arrears.

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 when due and has accumulated rental arrears in the amount of \$400.

*Termination of the tenancy agreement and eviction*

The applicant's representative withdrew their request for termination of the tenancy agreement and eviction.

*Orders*

An order will issue requiring the respondent to pay rental arrears in the amount of \$400 and requiring the respondent to pay his rent on time in the future.

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Adelle Guigon  
Rental Officer