

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

CF

Respondent/Tenant

REASONS FOR DECISION

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| <u>Date of the Hearing:</u> | October 31, 2017 |
| <u>Place of the Hearing:</u> | Yellowknife, Northwest Territories |
| <u>Appearances at Hearing:</u> | MU, representing the applicant |
| <u>Date of Decision:</u> | October 31, 2017 |

REASONS FOR DECISION

An application to a rental officer made by FRHA on behalf of the NTHC as the applicant/landlord against CF as the respondent/tenant was filed by the Rental Office July 28, 2017. The application was made regarding a subsidized public housing residential tenancy agreement for a rental premises located in Fort Resolution, Northwest Territories. The filed application was served on the respondent by registered mail signed for August 10, 2017.

The applicant alleged the respondent had accumulated rental arrears and had failed to clean the rental premises upon vacating. An order was sought for payment of rental arrears and payment of costs for cleaning.

A hearing was scheduled for October 31, 2017, by three-way teleconference. MU appeared representing the applicant. CF was served notice of the hearing by registered mail signed for August 10, 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 provided evidence establishing a residential tenancy agreement between the parties for subsidized public housing commencing April 9, 2013. The respondent vacated the rental premises, ending the tenancy effective May 1, 2017. I am satisfied a valid tenancy agreement was 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 respondent's rent account. All rents were subsidized and last assessed at \$580 per month. The last payment received against the respondent's rent account was recorded December 27, 2016, in the amount of \$580. A security deposit of \$701.17 was retained against the 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 accumulated rental arrears in the amount of \$3,384.84.

Cleaning

The tenant check-in/out unit condition reports, photographs, and work orders entered into evidence support the applicant's claim that the respondent had left the rental premises in an unclean condition with a substantial amount of garbage and debris both inside the premises and in the yard. The costs claimed for the required cleaning and disposal of garbage and debris is reasonable.

I find the respondent has failed to comply with his obligation to maintain the ordinary cleanliness of the rental premises and I find the respondent liable to the applicant for costs of cleaning in the amount of \$702.78.

Orders

An order will issue requiring the respondent to pay rental arrears in the amount of \$3,384.84 and requiring the respondent to pay costs of cleaning in the amount of \$702.78.

Adelle Guigon
Rental Officer