

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

MG

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: December 13, 2017

Place of the Hearing: Tuktoyaktuk, Northwest Territories

Appearances at Hearing: LP, representing the applicant

Date of Decision: December 13, 2017

REASONS FOR DECISION

An application to a rental officer made by THA on behalf of the NTHC as the applicant/landlord against MG as the respondent/tenant was filed by the Rental Office September 22, 2017. The application was made regarding a residential tenancy agreement for a rental premises located in Tuktoyaktuk, Northwest Territories. The filed application was personally served on the respondent October 16, 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 and termination of the tenancy agreement.

A hearing was scheduled for December 13, 2017, in Tuktoyaktuk. LP appeared representing the applicant. MG was personally served notice of the hearing October 16, 2017. 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 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 August 19, 2011. I am satisfied a valid tenancy agreement is in place in accordance with the Act.

Rental arrears

The lease ledgers entered into evidence 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 \$140 per month. No payments were received in seven of the last 12 months of the tenancy.

I am satisfied the lease ledgers 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 \$339.58.

Termination of the tenancy agreement and eviction

In light of the respondent's repeated failure to pay her rent and the amount of rental arrears accumulated, I am satisfied conditional termination of the tenancy agreement and eviction are justified dependent on the respondent paying the rental arrears in full and paying her future rents on time.

Orders

An order will issue:

- requiring the respondent to pay rental arrears in the amount of \$339.58;
- requiring the respondent to pay her future rent on time;
- terminating the tenancy agreement March 31, 2018, unless the rental arrears are paid in full and the rents of January, February, and March are paid on time; and
- evicting the respondent from the rental premises on April 1, 2018, if the termination of the tenancy agreement becomes effective.

Adelle Guigon
Rental Officer