

IN THE MATTER between **NPRLP**, Applicant, and **LS**, 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:

NPRLP

Applicant/Landlord

-and-

LS

Respondent/Tenant

REASONS FOR DECISION

<u>Date of the Hearing:</u>	January 24, 2018
<u>Place of the Hearing:</u>	Yellowknife, Northwest Territories
<u>Appearances at Hearing:</u>	HC, representing the applicant CDL, representing the applicant
<u>Date of Decision:</u>	January 24, 2018

REASONS FOR DECISION

An application to a rental officer made by NPRLP as the applicant/landlord against LS as the respondent/tenant was filed by the Rental Office October 17, 2017. The application was made regarding a residential tenancy agreement for a rental premises located in Yellowknife, Northwest Territories. The filed application was served on the respondent by email deemed received November 3, 2017, pursuant to subsection 4(4) of the *Residential Tenancies Regulations* (the Regulations).

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

A hearing was scheduled for January 24, 2018, in Yellowknife. HC and CDL appeared representing the applicant. LS was served notice of the hearing by email deemed received November 3, 2017, pursuant to subsection 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 subsection 80(2) of the *Residential Tenancies Act* (the Act).

Tenancy agreement

The applicant's representatives testified and provided evidence establishing a residential tenancy agreement between the parties commencing October 1, 2015. I am satisfied a valid tenancy agreement is in place in accordance with the Act.

Rental arrears

The resident ledgers entered into evidence represent the landlord's accounting of monthly rents and payments received against the respondent's rent account. The rent was established at \$1,940 per month. The last payment received against the rent account was recorded May 31, 2017, in the amount of \$8,000.

I am satisfied the resident ledgers accurately reflect the current status of the respondent's rent account. I find the respondent has repeatedly failed to pay the rent and has accumulated rental arrears in the amount of \$17,220.

Termination of the tenancy agreement and eviction

In consideration of the respondent's repeated failure to pay the rent and the substantial amount of rental arrears accumulated, I am satisfied termination of the tenancy agreement and eviction are justified.

Orders

An order will issue:

- requiring the respondent to pay rental arrears in the amount of \$17,220;
- terminating the tenancy agreement January 31, 2018;
- evicting the respondent from the rental premises February 1, 2018; and
- requiring the respondent to pay compensation for use and occupation of the rental premises at a rate of \$63.78 for each day the respondent remains in the rental premises after January 31, 2018, to a maximum of \$1,940 per month.

Adelle Guigon
Rental Officer