

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

JG

Respondent/Tenant

REASONS FOR DECISION

<u>Date of the Hearing:</u>	January 30, 2018
<u>Place of the Hearing:</u>	Hay River, Northwest Territories
<u>Appearances at Hearing:</u>	AS, representing the applicant
<u>Date of Decision:</u>	January 30, 2018

REASONS FOR DECISION

An application to a rental officer made by HRHA on behalf of the NTHC as the applicant/landlord against JG as the respondent/tenant was filed by the Rental Office October 24, 2017. The application was made regarding a residential tenancy agreement for a rental premises located in Hay River, Northwest Territories. The filed application was served on the respondent by registered mail signed for January 8, 2018.

The applicant alleged the respondent had repeatedly failed to pay rent, had accumulated rental arrears, and had failed to pay the security deposit in full as required. An order was sought for payment of rental arrears, payment of future rent on time, termination of the tenancy agreement, and eviction.

A hearing was scheduled for January 30, 2018, in Hay River. AS appeared representing the applicant. JG was served notice of the hearing by registered mail signed for January 8, 2018. The respondent did not appear at the hearing, nor did anyone appear on her 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 June 1, 2017. I am satisfied a valid tenancy agreement is in place in accordance with the Act.

Rental arrears

The statements of account and client aged details (rent documents) 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

\$160 per month. Either no payments or insufficient payments for rent were received in five of the last 12 months. At the time that the application to a rental officer was filed, the respondent had accumulated rental arrears in the amount of \$340. On January 26, 2018, the respondent paid \$480 to bring her rent account to a zero balance.

I am satisfied the rent documents accurately reflect the current status of the respondent's rent account. I find the respondent has repeatedly failed to pay the full amount of her rent when due.

Termination of the tenancy agreement and eviction

In light of the respondent's repeated failure to pay the full amount of her rent when due throughout her tenancy, I am satisfied termination of the tenancy agreement and eviction are justified. By agreement with the applicant's representative, I am ordering that the termination and eviction be conditional on the respondent paying her future rent on time.

Orders

An order will issue:

- requiring the respondent to pay her rent on time in the future;
- terminating the tenancy agreement May 31, 2018, unless the rents for February, March, April, and May are paid on time; and
- evicting the respondent from the rental premises June 1, 2018, if the termination of the tenancy agreement becomes effective.

Adelle Guigon
Rental Officer