

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

KW

Respondent/Tenant

REASONS FOR DECISION

<u>Date of the Hearing:</u>	February 8, 2018
<u>Place of the Hearing:</u>	Tulita, Northwest Territories
<u>Appearances at Hearing:</u>	SD, representing the applicant
<u>Date of Decision:</u>	February 8, 2018

REASONS FOR DECISION

An application to a rental officer made by THA on behalf of the NTHC as the applicant/landlord against KW as the respondent/tenant was filed by the Rental Office October 27, 2017. The application was made regarding a residential tenancy agreement for a rental premises located in Tulita, Northwest Territories. The filed application was personally served on the respondent January 12, 2018.

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, payment of future rent on time, termination of the tenancy agreement, and eviction.

A hearing was scheduled for February 8, 2018, in Tulita. The Rental Officer appeared by telephone. SD appeared representing the applicant. KW was personally served notice of the hearing January 12, 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 evidence was presented establishing a residential tenancy agreement between the parties for subsidized public housing commencing March 27, 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 rents and payments received against the respondent's rent account. All rents have been subsidized and are currently assessed at \$70 per month. No payments have been received against the rent account in 11 of the last 12 months; the last payments received were recorded November 20, 2017, in the amount of \$160 and November 16, 2017, in the amount of \$70.

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 rent and has accumulated rental arrears in the amount of \$1,450.49.

Termination of the tenancy agreement and eviction

In light of the respondent's repeated failure to pay her rent and the substantial amount of subsidized rental arrears accumulated, I am satisfied termination of the tenancy agreement and eviction are justified. By agreement with the applicant's representative, the termination and eviction will be conditional on the respondent paying the rental arrears in full and paying her future rent on time.

Orders

An order will issue:

- requiring the respondent to pay rental arrears in the amount of \$1,450.49;
- requiring the respondent to pay her future rent on time;
- terminating the tenancy agreement May 31, 2018, unless the rental arrears are paid in full and the rents for 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 becomes effective.

Adelle Guigon
Rental Officer