

IN THE MATTER between **SI**, Applicant, and **TG**, 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:

SI

Applicant/Landlord

-and-

TG

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>	OD, representing the applicant
<u>Date of Decision:</u>	January 30, 2018

REASONS FOR DECISION

An application to a rental officer made by SI as the applicant/landlord against TG as the respondent/tenant was filed by the Rental Office July 28, 2017. The application was made regarding a residential tenancy agreement for a rental premises located in Hay River, Northwest Territories. The filed application was personally served on the respondent August 9, 2017.

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, payment of late payment penalties, and payment of future rent on time.

A hearing was originally scheduled for October 31, 2017, which both the applicant and respondent failed to appear for. The hearing was re-scheduled for January 30, 2018, in Hay River. OD appeared representing the applicant. TG was served notice of the hearing by registered mail signed for January 15, 2018. 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 that the parties had entered into an oral tenancy agreement commencing in February 2015. The respondent vacated the rental premises without giving notice, ending the tenancy effective September 16, 2017. I am satisfied a valid tenancy agreement was in place in accordance with the Act.

Previous order

Rental Officer Order Number 10-14459 dated January 27, 2015, required the respondent to pay rental arrears in the amount of \$300.

Rental arrears

The rent ledger entered into evidence represents the landlord's accounting of monthly rent and payments received against the respondent's rent account. The rent from February 2015 to November 2016 was established at \$1,300. The rent from December 2016 to September 2017 was established at \$1,450. Either insufficient payments or no payments were received in 10 of the last 12 months of the tenancy. Late payment penalties calculated in accordance with the *Residential Tenancies Regulations* (the Regulations) and based on the information provided in the rent ledger amounts to \$1,749.

I am satisfied the rent ledger accurately reflects the current status of the respondent's rent account. I am satisfied the amount of rental arrears identified in the rent ledger represents rental arrears accumulated since the last rental officer order was issued. I find the respondent has accumulated rental arrears, including late payment penalties, in the amount of \$14,194.

Order

An order will issue requiring the respondent to pay rental arrears in the amount of \$14,194.

Adelle Guigon
Rental Officer