

IN THE MATTER between **SI**, Applicant, and **KS**, 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-

KS

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 KS 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 10, 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, payment of late payment penalties, payment of future rent on time, and termination of the tenancy agreement.

A hearing was originally scheduled for October 31, 2017. Neither the applicant nor the respondent appeared. The hearing was re-scheduled to January 30, 2018, in Hay River. OD appeared representing the applicant. KS was sent notice of the hearing by registered mail to his last known address deemed served January 15, 2018, pursuant to subsection 71(5) of the *Residential Tenancies Act* (the Act). 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 Act.

Tenancy agreement

The applicant's representative testified that the parties had entered into an oral residential tenancy agreement commencing October 17, 2016. The respondent vacated the rental premises without notice, effectively ending the tenancy September 30, 2017. I am satisfied a valid tenancy agreement was in place in accordance with the Act.

Rental arrears

A rent ledger entered into evidence represents the landlord's accounting of monthly rent and payments received against the respondent's rent account. Rent was established at \$1,300 per month. Either insufficient payments or no payments were received in eight of the 12 months of the tenancy, with the last payment being received June 29, 2017, in the amount of \$300.

I am satisfied the rent ledger accurately reflects the current status of the respondent's rent account. My calculation of late payment penalties amounts to \$628. I find the respondent has accumulated rental arrears, including late payment penalties, in the total amount of \$10,078.

Order

An order will issue requiring the respondent to pay rental arrears in the amount of \$10,078.

Adelle Guigon
Rental Officer