

IN THE MATTER between **XY**, Applicant, and **BG**, 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 **Hal Logsdon**, Rental Officer,

BETWEEN:

XY

Applicant/Landlord

-and-

BG

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: February 28, 2018

Place of the Hearing: Yellowknife, NT

Appearances at Hearing: AB, representing the applicant

Date of Decision: February 28, 2018

REASONS FOR DECISION

The respondent was personally served with a filed application and Notice of Attendance on November 23, 2017 but failed to appear at the hearing. The hearing was held in her absence.

The applicant alleged that the respondent had breached the tenancy agreement by failing to pay rent and sought an order requiring the respondent to pay the alleged rent arrears and terminating the tenancy agreement and evicting the respondent unless the rent arrears were promptly paid.

The premises are subsidized public housing and the tenancy agreement currently runs month-to-month.

The applicant provided a lease balance statement in evidence which indicated a balance of rent owing in the amount of \$949. The monthly rent has been assessed, based on the respondent's income, at \$80 since October, 2017. The last rent payment was received on November 6, 2017. The applicant stated that the March, 2018 rent would also be assessed at \$80 and would be due on March 1, 2018.

There have been three orders previously issued, including one conditional eviction order, regarding the respondent's failure to pay the rent. The most recent of the three was filed on May 22, 2015.

I find the lease balance statement in order and find the respondent in breach of her obligation to pay rent. I find the rent arrears to be \$949. The respondent's failure to pay the rent on the days it is due has been persistent and I find the applicant's request for a conditional termination and eviction order to be reasonable.

An order shall issue requiring the respondent to pay the applicant rent arrears in the amount of \$949 and terminating the tenancy agreement on March 15, 2018 unless the rent arrears and the March rent in the total amount of \$1029 are paid in full. An eviction order, to be effective on March 16, 2018 unless the rent arrears and March rent are paid in full shall also be issued.

Hal Logsdon
Rental Officer