

IN THE MATTER between **NTHC**, Applicant, and **EP and FP**, Respondents.

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-

**EP and FP**

Respondents/Tenants

**REASONS FOR DECISION**

**Date of the Hearing:** March 7, 2018

**Place of the Hearing:** Aklavik, Northwest Territories

**Appearances at Hearing:** FE, representing the applicant  
MRM, representing the applicant

**Date of Decision:** March 7, 2018

### **REASONS FOR DECISION**

An application to a rental officer made by AHA on behalf of the NTHC as the applicant/landlord against EP and FP as the respondents/tenants was filed by the Rental Office November 20, 2017. The application was made regarding a residential tenancy agreement for a rental premises located in Aklavik, Northwest Territories. The filed application was personally served on the respondents January 11, 2018.

The applicant alleged the respondents had repeatedly failed to pay rent and had accumulated rental arrears. 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 March 7, 2018, in Aklavik. The Rental Officer appeared by telephone. FE and MRM appeared representing the applicant. EP and FP were personally served notices of the hearing January 11, 2018. The respondents did not appear at the hearing, nor did anyone appear on their behalf. The hearing proceeded in the respondents' absence pursuant to subsection 80(2) of the *Residential Tenancies Act* (the Act).

#### *Tenancy agreement*

The applicant's representatives testified and evidence was presented establishing a residential tenancy agreement between the parties for subsidized public housing commencing October 16, 2014. I am satisfied a valid tenancy agreement is in place in accordance with the Act.

#### *Rental arrears*

The statements of account entered into evidence represent the landlord's accounting of monthly assessed rents and payments received against the respondents' rent account. All rents have been subsidized and are currently assessed at \$790 per month. The current rental arrears balance claimed is \$3,013, which represents approximately four months' subsidized rent.

I am satisfied the statements of account accurately reflect the current status of the respondents' rent account. I find the respondents have repeatedly failed to pay the full amount of rent when due and have accumulated rental arrears in the amount of \$3,013.

*Termination of the tenancy agreement and eviction*

In light of the respondents' repeated failure to pay their rent and the amount of rental arrears accumulated, I am satisfied termination of the tenancy agreement and eviction are justified. By agreement with the applicant's representatives, I am satisfied the termination and eviction orders can reasonably be conditional on the respondents' paying their future rent on time and paying a portion of the rental arrears.

*Orders*

An order will issue:

- requiring the respondents to pay rental arrears in the amount of \$3,013;
- requiring the respondents to pay their future rent on time;
- terminating the tenancy agreement June 30, 2018, unless at least \$600 is paid towards the rental arrears and the rents for April, May, and June are paid on time; and
- evicting the respondents from the rental premises July 1, 2018, if the termination of the tenancy agreement becomes effective.

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Adelle Guigon  
Rental Officer