

IN THE MATTER between **NTHC**, Applicant, and **PM and JO**, 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-

**PM and JO**

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 PM and JO 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 served on the respondents by registered mail signed for December 6, 2017.

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. PM and JO were served notices of the hearing by registered mail signed for December 6, 2017. The respondents did not appear at the hearing, nor did anyone appear on the respondents' 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 April 1, 2012. 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 \$555 per month. The statements reflect a balance of rental arrears of \$5,640.84, representing approximately 13 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 their rent when due and have accumulated rental arrears in the amount of \$5,640.84.

*Termination of the tenancy agreement and eviction*

In light of the respondents' repeated failure to pay their rent and the substantial amount of subsidized rental arrears accumulated, I am satisfied termination of the tenancy agreement and eviction are justified. The applicant's representative agreed that a conditional termination and eviction order dependent on the respondents paying their future rent on time and paying a portion of the rental arrears would be reasonable.

*Orders*

An order will issue:

- requiring the respondents to pay rental arrears in the amount of \$5,640.84;
- requiring the respondents to pay their rent on time in the future;
- terminating the tenancy agreement June 30, 2018, unless at least \$1,000 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