

IN THE MATTER between **NTHC**, Applicant, and **BK**, 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:

**NTHC**

Applicant/Landlord

-and-

**BK**

Respondent/Tenant

**REASONS FOR DECISION**

**Date of the Hearing:** March 20, 2018

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

**Appearances at Hearing:** LP, representing the applicant  
BK, respondent

**Date of Decision:** March 20, 2018

**REASONS FOR DECISION**

An application to a rental officer made by THA on behalf of the NTHC as the applicant/landlord against BK as the respondent/tenant was filed by the Rental Office November 21, 2017. The application was made regarding a residential tenancy agreement for a rental premises located in Tuktoyaktuk, Northwest Territories. The filed application was personally served on the respondent December 12, 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, termination of the tenancy agreement, and eviction.

A hearing was scheduled for March 20, 2018, in Tuktoyaktuk. The Rental Officer appeared by telephone. LP appeared representing the applicant. BK appeared as respondent.

*Tenancy agreement*

The parties agreed and evidence was presented establishing a residential tenancy agreement between them for subsidized public housing commencing March 6, 1995. I am satisfied a valid tenancy agreement is in place in accordance with the *Residential Tenancies Act* (the Act).

*Previous orders*

Rental Officer Order Number 20-15013 issued March 3, 2016, required the respondent to pay rental arrears in the amount of \$6,537.87 and terminated the tenancy agreement June 30, 2016, unless the rental arrears were paid in full.

### *Rental arrears*

The lease ledgers entered into evidence represent the landlord's accounting of monthly assessed rents and payments received against the respondent's rent account. All rents have been subsidized and are currently assessed at \$790 per month. Either insufficient payments or no payments were received in nine of the last 12 months of the tenancy. The current rental arrears have all been accumulated since the last rental officer order was issued.

The respondent did not dispute the accuracy of the landlord's accounting of rental arrears, acknowledging her debt and accepting responsibility for it. She indicated she started working casual again last month and intends to apply all of her pay towards the rental arrears. She has committed to making concerted efforts to pay the full amount of her rent on time going forward.

I am satisfied the lease ledgers accurately reflect the current status of the respondent's rent account. I find the respondent has repeatedly failed to pay rent and has accumulated rental arrears in the amount of \$3,930.

### *Termination of the tenancy agreement and eviction*

In light of the respondent's repeated failure to pay her rent and the amount of rental arrears accumulated, I am satisfied termination of the tenancy agreement and eviction are justified conditional on the respondent paying the rental arrears in full and the rents for April, May, and June on time.

### *Orders*

An order will issue:

- requiring the respondent to pay rental arrears in the amount of \$3,930;
- requiring the respondent to pay her rent on time in the future;

- terminating the tenancy agreement June 30, 2018, unless the rental arrears are paid in full and the rents for April, May, and June are paid on time; and
- evicting the respondent from the rental premises July 1, 2018, if the termination of the tenancy agreement becomes effective.

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Adelle Guigon  
Rental Officer