

IN THE MATTER between **NTHC**, Applicant, and **SP**, 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-

**SP**

Respondent/Tenant

**REASONS FOR DECISION**

**Date of the Hearing:** April 17, 2018

**Place of the Hearing:** Fort McPherson, Northwest Territories

**Appearances at Hearing:** SW, representing the applicant

**Date of Decision:** April 17, 2018

**REASONS FOR DECISION**

An application to a rental officer made by FMHA on behalf of the NTHC as the applicant/landlord against SP as the respondent/tenant was filed by the Rental Office December 1, 2017. The application was made regarding a residential tenancy agreement for a rental premises located in Fort McPherson, Northwest Territories. The filed application was served on the respondent by registered mail signed for December 14, 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, eviction, and compensation for use and occupation of the rental premises.

A hearing was scheduled for April 17, 2018, in Fort McPherson. The Rental Officer appeared by telephone. SW appeared representing the applicant. SP was served notice of the hearing by registered mail signed for December 14, 2017. 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 *Residential Tenancies Act* (the Act).

*Tenancy agreement*

The applicant's representative testified and evidence was presented establishing a residential tenancy agreement between the parties for subsidized public housing commencing November 2, 2004. I am satisfied a valid tenancy agreement is in place in accordance with the Act.

*Rental arrears*

The lease balance statements 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 \$555 per month. Either insufficient payments or no payments were received in seven of the last 10 months of the tenancy.

I am satisfied the lease balance statements accurately reflect the current status of the respondent's rent account. I find the respondent has repeatedly failed to pay rent in full when due and has accumulated rental arrears in the amount of \$1,350.

*Termination of the tenancy agreement and eviction*

In light of the respondent's repeated failure to pay the full amount of her rent when due and the amount of rental arrears accumulated, I am satisfied conditional orders to terminate the tenancy agreement and evict the respondent from the rental premises are justified, dependent on the respondent paying the rental arrears in full and paying her future rent on time.

*Orders*

An order will issue:

- requiring the respondent to pay rental arrears in the amount of \$1,350;
- requiring the respondent to pay her future rent on time;
- terminating the tenancy agreement July 31, 2018, unless the rental arrears are paid in full and the rents for May, June, and July are paid on time; and
- evicting the respondent from the rental premises August 1, 2018, if the termination of the tenancy agreement becomes effective.

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Adelle Guigon  
Rental Officer