

IN THE MATTER between **NTHC**, Applicant, and **RI and CC**, 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-

RI and CC

Respondents/Tenants

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 RI and CC as the respondents/tenants 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 January 5, 2018.

The applicant alleged the respondents 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.

A hearing was scheduled for April 17, 2018, in Fort McPherson. The Rental Officer appeared by telephone. SW appeared representing the applicant. RI and CC were served notice of the hearing by registered mail signed for January 5, 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 representative testified and evidence was presented establishing a residential tenancy agreement between the parties for subsidized public housing commencing August 7, 2015. 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 respondents' rent account. All rents have been subsidized and are currently assessed at \$325 per month. Either in sufficient payments or no payments were received in eight of the last 12 months of the tenancy.

I am satisfied the lease balance statements 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 \$845.

Termination of the tenancy agreement and eviction

In light of the respondents' repeated failure to pay their rent when due and the amount of rental arrears accumulated, I am satisfied conditional termination and eviction orders are justified, dependent on the respondents paying the rental arrears in full and paying their future rents on time.

Orders

An order will issue:

- requiring the respondents to pay rental arrears in the amount of \$845;
- requiring the respondents to pay their 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 respondents from the rental premises August 1, 2018, if the termination of the tenancy agreement becomes effective.

Adelle Guigon
Rental Officer