

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

DM

Respondent/Tenant

REASONS FOR DECISION

<u>Date of the Hearing:</u>	March 21, 2018
<u>Place of the Hearing:</u>	Hay River, Northwest Territories
<u>Appearances at Hearing:</u>	AS, representing the applicant
<u>Date of Decision:</u>	March 21, 2018

REASONS FOR DECISION

An application to a rental officer made by HRHA on behalf of the NTHC as the applicant/landlord against DM as the respondent/tenant was filed by the Rental Office December 8, 2017. The application was made regarding a residential tenancy agreement for a rental premises located in Hay River, Northwest Territories. The filed application was served on the respondent by registered mail signed for January 15, 2018.

The applicant alleged the respondent had repeatedly failed to pay rent in full when due, had accumulated rental arrears, and had failed to comply with a rental officer order to pay future rent on time. An order was sought for payment of rental arrears, termination of the tenancy agreement, and eviction.

A hearing was scheduled for March 21, 2018, in Hay River. The Rental Officer appeared by telephone. AS appeared representing the applicant. DM was served notice of the hearing by registered mail signed for January 15, 2018. The respondent did not appear at the hearing, nor did anyone appear on her 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 April 1, 2012. I am satisfied a valid tenancy agreement is in place in accordance with the Act.

Previous order

Rental Officer Order Number 10-14379 issued November 20, 2014, required the respondent to pay rental arrears in the amount of \$505.58 in minimum monthly installments of \$120 starting in December 2014, and required the respondent to pay her future rent on time.

Rental arrears

The statements of account and client aged details (rent documents) 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 \$160 per month. Either no payments or insufficient payments were received in nine of the last 12 months of the tenancy.

I am satisfied the rent documents accurately reflect the current status of the respondent's rent account. I find the respondent has repeatedly failed to pay the full amount of rent when due, has failed to comply with a rental officer order to pay her future rent on time, and has accumulated rental arrears in the amount of \$269.60.

Termination of the tenancy agreement and eviction

In light of the respondent's repeated failure to pay their rent on time and her repeated failure to comply with a rental officer order to pay her future rent on time, it is clear the respondent does not take her obligation in this regard seriously and as a consequence I am satisfied conditional termination of the tenancy agreement and eviction are justified.

Orders

An order will issue:

- requiring the respondent to pay rental arrears in the amount of \$269.60;
- requiring the respondent to pay her future rent on time;
- 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.

Adelle Guigon
Rental Officer