

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

TL

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: May 29, 2018

Place of the Hearing: Fort Providence, Northwest Territories

Appearances at Hearing: AG, representing the applicant

Date of Decision: May 29, 2018

REASONS FOR DECISION

An application to a rental officer made by FPHA on behalf of the NTHC as the applicant/landlord against TL as the respondent/tenant was filed by the Rental Office January 29, 2018. The application was made regarding a residential tenancy agreement for a rental premises located in Fort Providence, Northwest Territories. The filed application was served on the respondent by registered mail signed for February 19, 2018.

The applicant alleged the respondent had repeatedly failed to pay rent and had accumulated rental arrears. An order was sought for payment of rental arrears, termination of the tenancy agreement, and eviction.

A hearing was scheduled for May 29, 2018, in Fort Providence. The Rental Officer appeared by telephone. AG appeared representing the applicant. TL was served notice of the hearing by registered mail signed for February 19, 2018. 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 December 1, 2016. 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 \$75 per month. Either insufficient payments or no payments were made in seven of the last 12 months of the tenancy. However, since filing of the application to a rental officer, the respondent has paid her monthly rent on time and has successfully cleared the balance of rental arrears.

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 her rent when due.

Termination of the tenancy agreement and eviction

In light of the respondent's repeated failure to pay her rent when due, I am satisfied termination of the tenancy agreement conditional on the respondent paying her future rent on time is justified. However, I am not satisfied that an eviction order is justified.

Orders

An order will issue requiring the respondent to pay her future rent on time, and terminating the tenancy agreement November 30, 2018, unless the rents for June to November are paid on time.

Adelle Guigon
Rental Officer