

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

KV

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: May 30, 2018

Place of the Hearing: Fort McPherson, Northwest Territories

Appearances at Hearing: BF, representing the applicant
DF, representing the applicant

Date of Decision: May 30, 2018

REASONS FOR DECISION

An application to a rental officer made by FMHA on behalf of the NTHC as the applicant/landlord against KV as the respondent/tenant was filed by the Rental Office February 1, 2018. 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 February 23, 2018.

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 May 30, 2018, in Fort McPherson. The Rental Officer appeared by telephone. BF and DF appeared representing the applicant. KV was served notice of the hearing by registered mail signed for February 23, 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 commencing February 5, 2016. I am satisfied a valid tenancy agreement is in place in accordance with the Act.

Rental arrears

The lease balance statement and lease ledger (rent documents) entered into evidence represent the landlord's accounting of monthly rent and payments made against the respondent's rent account. Rent was established at \$1,280 per month. Either insufficient payments or no payments were made in seven 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 rent and has accumulated rental arrears in the amount of \$2,340.

Termination of the tenancy agreement and eviction

In light of the respondent's repeated failure to pay her rent in full when due and the amount of rental arrears accumulated, I am satisfied termination of the tenancy agreement and eviction are justified. By agreement with the applicant's representative, the termination and eviction orders will be conditional 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 \$2,340;
- requiring the respondent to pay her future rent on time;
- terminating the tenancy agreement August 31, 2018, unless the rental arrears are paid in full and the rents for June, July, and August are paid on time; and
- evicting the respondent from the rental premises September 1, 2018, if the termination of the tenancy agreement becomes effective.

Adelle Guigon
Rental Officer