

IN THE MATTER between **HRMHP**, Applicant, and **MC**, 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:

HRMHP

Applicant/Landlord

-and-

MC

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: June 20, 2018

Place of the Hearing: Hay River, Northwest Territories

Appearances at Hearing: CB, representing the applicant

Date of Decision: June 20, 2018

REASONS FOR DECISION

An application to a rental officer made by HRMHP as the applicant/landlord against MC as the respondent/tenant was filed by the Rental Office March 16, 2018. 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 April 3, 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 June 20, 2018, in Hay River. The Rental Officer appeared by telephone. CB appeared representing the applicant. MC was served notice of the hearing by registered mail signed for April 3, 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 for a mobile home lot commencing June 1, 2012. I am satisfied a valid tenancy agreement is in place in accordance with the Act.

Rental arrears

The accounts receivable customer inquiries entered into evidence represent the landlord's accounting of monthly rent and payments received against the respondent's rent account. Rent was established at \$260 per month. Either insufficient payments or no payments were received in nine of the last 12 months of the tenancy.

I am satisfied the accounts receivable customer inquiries 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 and has accumulated rental arrears in the amount of \$2,480.

Termination of the tenancy agreement

In light of the respondent's repeated failure to pay his rent and the substantial 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 eviction date will be delayed one month from the termination date to permit the respondent an opportunity to arrange for the removal of his mobile home from the rental premises.

Orders

An order will issue:

- requiring the respondent to pay rental arrears in the amount of \$2,480;
- terminating the tenancy agreement June 30, 2018;
- evicting the respondent from the rental premises July 31, 2018; and
- requiring the respondent to pay compensation for use and occupation of the rental premises at a rate of \$8.55 for each day the respondent remains on the rental premises after June 30, 2018, to a maximum of \$260 per month.

Adelle Guigon
Rental Officer