

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: July 24, 2018

Place of the Hearing: Lutselk'e, Northwest Territories

Appearances at Hearing: MC, representing the applicant

Date of Decision: July 24, 2018

REASONS FOR DECISION

An application to a rental officer made by LHA on behalf of the NTHC as the applicant/landlord against TL as the respondent/tenant was filed by the Rental Office May 28, 2018. The application was made regarding a residential tenancy agreement for a rental premises located in Lutselk'e, Northwest Territories. The filed application was served on the respondent by registered mail signed for approximately July 16, 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, payment of future rent on time, termination of the tenancy agreement, eviction, and compensation for use and occupation of the rental premises.

A hearing was scheduled for July 24, 2018, in Lutselk'e. The Rental Officer appeared by telephone. MC appeared representing the applicant. TL was served notice of the hearing by registered mail signed for approximately July 16, 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 November 21, 2013. 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 \$70 per month. No payments have been received in 13 of the last 16 months of the tenancy.

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 the rent and has accumulated rental arrears in the amount of \$2,324.99.

Termination of the tenancy agreement and eviction

In light of the respondents repeated and unreasonable failure to pay the rent and the substantial amount of subsidized rental arrears accumulated, I am satisfied termination of the tenancy agreement and eviction are justified. By agreement with the applicant, the termination and eviction orders will be conditional on the respondent paying the rental arrears in full and paying the rent on time in the future.

Orders

An order will issue:

- requiring the respondent to pay rental arrears in the amount of \$2,324.99;
- requiring the respondent to pay the rent on time in the future;
- terminating the tenancy agreement October 31, 2018, unless the rental arrears are paid in full and the rents for August, September, and October are paid on time; and
- evicting the respondent from the rental premises November 1, 2018, if the termination of the tenancy agreement becomes effective.

Adelle Guigon
Rental Officer