

IN THE MATTER between **NPRLP**, Applicant, and **RT, CK, and CO**, Respondents.

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:

NPRLP

Applicant/Landlord

-and-

RT and CK and CO

Respondents/Tenants

REASONS FOR DECISION

Date of the Hearing: July 26, 2018

Place of the Hearing: Yellowknife, Northwest Territories

Appearances at Hearing: CDL, representing the applicant

Date of Decision: July 26, 2018

REASONS FOR DECISION

An application to a rental officer made by NPRLP as the applicant/landlord against RT, CK, and CO as the respondents/tenants was filed by the Rental Office May 1, 2018. The application was made regarding a residential tenancy agreement for a rental premises located in Yellowknife, Northwest Territories. The filed application was served on the respondents by email.

The applicant alleged the respondents had repeatedly failed to pay the full amount of rent when due 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 July 26, 2018, in Yellowknife. CDL appeared representing the applicant. RT, CK, and CO were served notices of the hearing by email, which the applicant's representative testified at hearing the respondents had confirmed receiving. The respondents did not appear at the hearing, nor did anyone appear on the respondents' behalf. The hearing proceeded in the respondents' 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 27, 2016. I am satisfied a valid tenancy agreement is in place in accordance with the Act.

Rental arrears

The resident ledgers entered into evidence represent the landlord's accounting of monthly rents, late payment penalties, and payments received against the respondents' rent account. Rent was established at \$2,290 per month. Late payment penalties were calculated in accordance with the Act. Insufficient payments were received in four of the last 12 months of the tenancy.

The applicant's representative acknowledged the respondents had paid the remaining balance of rental arrears of \$1,229 on July 25, 2018, which did not appear on the resident ledgers entered into evidence. The resident ledgers were adjusted accordingly. As a result, the applicant's representative withdrew their request for payment of rental arrears, termination of the tenancy agreement, and eviction, and instead requested only an order for payment of future rent on time.

I am satisfied the adjusted resident ledgers accurately reflect the current status of the respondents' rent account. I find the respondents have repeatedly failed to pay the full amount of rent when due.

Order

An order will issue requiring the respondents to pay rent on time in the future.

Adelle Guigon
Rental Officer