

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

SW

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: July 11, 2018

Place of the Hearing: Hay River, Northwest Territories

Appearances at Hearing: AS, representing the applicant
SW, respondent

Date of Decision: July 11, 2018

REASONS FOR DECISION

An application to a rental officer made by HRHA on behalf of the NTHC as the applicant/landlord against SW as the respondent/tenant was filed by the Rental Office May 11, 2018. The application was made regarding a residential tenancy agreement for a rental premises located in Hay River, Northwest Territories. The filed application was personally served on the respondent June 5, 2018.

The applicant alleged the respondent had repeatedly failed to pay rent in full when due, had accumulated rental arrears, and had failed to report household income as and when required. An order was sought for payment of rental arrears, payment of future rent on time, termination of the tenancy agreement, eviction, and compensation for use and occupation.

A hearing was scheduled for July 11, 2018, in Hay River. The Rental Officer appeared by telephone. AS appeared representing the applicant. SW appeared as respondent.

Tenancy agreement

The parties agreed and evidence was presented establishing a residential tenancy agreement between them for subsidized public housing commencing April 1, 2012. I am satisfied a valid tenancy agreement is in place in accordance with the *Residential Tenancies Act* (the Act).

Rental arrears and reporting of household income

The statements of account, client aged details, and lease ledgers (rent documents) entered into evidence represent the landlord's accounting of monthly assessed rents and payments received against the respondent's rent account. All rents have now been assessed subsidies and are currently assessed at \$80. No payments were received in five of the last 12 months of the tenancy.

The parties agreed that the respondent had failed to report the income for one of the authorized occupants of the household as required pursuant to paragraph 6 of the written tenancy agreement. Since filing of the application, the respondent has provided the necessary information, and the subsidized rents retroactive to February 2018 were adjusted accordingly. The respondent now does not carry any rental arrears. Consequently, the applicant's representative withdrew their request for payment of rental arrears, termination of the tenancy agreement, eviction, and compensation for use and occupation, and instead requested an order for the respondent to comply with the obligation to report household income as required in addition to an order to pay future rent on time.

I am satisfied the rent documents accurately reflect the current status of the respondent's rent account. I am satisfied the respondent failed to report the total household income as and when required. I find the respondent has repeatedly failed to pay the full amount of rent when due, and has failed to comply with the obligation to report household income as and when required.

Orders

An order will issue requiring the respondent to pay rent on time in the future, and requiring the respondent to comply with the obligation to report household income as and when required.

Adelle Guigon
Rental Officer