

IN THE MATTER between **NPRLP**, Applicant, and **VH and JL**, 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-

VH and JL

Respondents/Tenants

REASONS FOR DECISION

Date of the Hearing: August 2, 2018

Place of the Hearing: Yellowknife, Northwest Territories

Appearances at Hearing: CDL, representing the applicant

Date of Decision: August 2, 2018

REASONS FOR DECISION

An application to a rental officer made by NPRLP as the applicant/landlord against VH and JL as the respondents/tenants was filed by the Rental Office May 29, 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 deemed received June 15, 2018, pursuant to subsection 4(4) of the *Residential Tenancies Regulations* (the Regulations).

The applicant alleged the respondents had repeatedly failed to pay the rent in full 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 August 2, 2018, in Yellowknife. CDL appeared representing the applicant. VH and JL were served notice of the hearing by email deemed received June 15, 2018. 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 October 1, 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 rent, late payment penalties, and payments received against the respondents' rent account. Rent was established at \$2,500 per month. Late payment penalties were calculated in accordance with the Act and Regulations. Either insufficient payments or no payments were received in four of the last 12 months of the tenancy.

Since filing of the application to a rental officer the respondents have successfully resolved their rental arrears and only have the rent for August 2018 outstanding. Consequently, the applicant's representative withdrew their request for termination of the tenancy agreement and eviction, seeking only an order for payment of the rental arrears and payment of future rent on time.

I am satisfied the 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 and have accumulated rental arrears in the amount of \$2,501.

Order

An order will issue requiring the respondents to pay rental arrears in the amount of \$2,501 and requiring the respondents to pay their rent on time in the future.

Adelle Guigon
Rental Officer