

IN THE MATTER between **NTHC**, Applicant, and **NI and GI**, 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:

NTHC

Applicant/Landlord

-and-

NI and GI

Respondents/Tenants

REASONS FOR DECISION

Date of the Hearing: September 11, 2018

Place of the Hearing: Fort Simpson, Northwest Territories

Appearances at Hearing: MH, representing the Applicant
KK, representing the Applicant

Date of Decision: September 11, 2018

REASONS FOR DECISION

An application to a rental officer made by FSHA on behalf of the NTHC as the Applicant/Landlord against NI and GI as the Respondents/Tenants was filed by the Rental Office July 5, 2018. The application was made regarding a residential tenancy agreement for a rental premises located in Fort Simpson, Northwest Territories. The filed application was served on the Respondent by registered mail signed for July 23, 2018.

The Applicant alleged the respondents had repeatedly failed to pay rent and had accumulated rental arrears. An order was sought for payment of rental arrears, payment of future rent on time, termination of the tenancy agreement, and eviction.

A hearing was scheduled for September 11, 2018, in Fort Simpson. The Rental Officer appeared by telephone. MH and KK appeared representing the Applicant. NI and GI were served notices of the hearing by registered mail signed for July 23, 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 for subsidized public housing commencing July 1, 2017. 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 Respondents' rent account. All rents have been subsidized and are currently assessed at \$80 per month. Either insufficient payments or no payments were received in five of the last 12 months of the tenancy.

Since filing of the application to a rental officer, the Respondents have successfully paid all rental arrears and currently carry a small credit to their rent account. As a result, the Applicant's representative withdrew their request for payment of rental arrears, termination of the tenancy agreement and eviction, seeking only an order that future rent be paid on time.

I am satisfied the lease balance statements 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. An order will issue requiring the Respondents to pay rent on time in the future.

Adelle Guigon
Rental Officer