

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

FW

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: September 6, 2018

Place of the Hearing: Behchoko, Northwest Territories

Appearances at Hearing: BL, representing the Applicant
TM, representing the Applicant

Date of Decision: September 6, 2018

REASONS FOR DECISION

An application to a rental officer made by BKGK on behalf of the NTHC as the Applicant/Landlord against FW as the Respondent/Tenant was filed by the Rental Office July 19, 2018. The application was made regarding a residential tenancy agreement for a rental premises located in Behchoko, Northwest Territories. The filed application was personally served on the Respondent July 25, 2018.

The Applicant alleged the Respondent had repeatedly failed to pay rent and had accumulated rental arrears. An order was sought for payment of rental arrears and payment of rent on time in the future.

A hearing was scheduled for September 6, 2018, in Behchoko. BL and TM appeared representing the Applicant. FW was personally served notice of the hearing July 25, 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).

Preliminary matter

The application to a rental officer identified the Respondent as FW. The written tenancy agreement entered into evidence identified the Tenant as FW. The Applicant's representative confirmed at hearing that the Respondent's last name was incorrectly spelled on the application to a rental officer and requested that it be amended accordingly. Being satisfied that the Respondent's last name is correctly spelled as identified in the written tenancy agreement, I agreed to amend the application to a rental officer to reflect the Respondent's name as FW. The style of cause going forward will reflect the correct spelling of the Respondent's last name.

Tenancy agreement

The Applicant's representative testified and evidence was presented establishing a residential tenancy agreement between the parties for subsidized public housing commencing December 18, 2003. 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 \$580 per month. Either insufficient payments or no payments were received in seven of the last 12 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 rent in full when due and has accumulated rental arrears in the amount of \$8,225.

Orders

An order will issue requiring the Respondent to pay rental arrears in the amount of \$8,225 and requiring the respondent to pay rent on time in the future.

Adelle Guigon
Rental Officer