

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

**PC**

Respondent/Tenant

**REASONS FOR DECISION**

**Date of the Hearing:** January 23, 2019

**Place of the Hearing:** Fort Providence, Northwest Territories

**Appearances at Hearing:** AG, representing the Applicant

**Date of Decision:** January 23, 2019

**REASONS FOR DECISION**

An application to a rental officer made by FPHA on behalf of the NTHC as the Applicant/Landlord against PC as the Respondent/Tenant was filed by the Rental Office November 29, 2018. The application was made regarding a residential tenancy agreement for a rental premises located in Fort Providence, Northwest Territories. The filed application was served on the Respondent by registered mail signed for December 18, 2018.

The Applicant alleged the Respondent had caused damages to the rental premises and had outstanding costs for repairs. An order was sought for payment of outstanding costs of repairs.

A hearing was scheduled for January 23, 2019, in Fort Providence. The Rental Officer appeared by telephone. AG appeared representing the Applicant. PC was served notice of the hearing by registered mail signed for December 18, 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).

*Tenancy agreement*

The Applicant's representative testified and evidence was presented establishing a residential tenancy agreement between the parties for subsidized public housing commencing September 19, 2011. I am satisfied a valid tenancy agreement is in place in accordance with the Act.

*Damages*

The Applicant's representative withdrew their request for an order to pay outstanding costs of repairs given that since filing the application to a rental officer the Respondent has paid the costs in full.

*Failure to pay rent on time*

Although the application to a rental officer did not specifically make any requests regarding rental arrears, the Applicant's representative did testify to and provide evidence of the Respondent's repeated failure to pay the rent in full when due. The Applicant's representative requested an order for future rent to be paid on time.

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 \$75 per month. Either insufficient payments or no payments have been received in five of the last 12 months of the tenancy. The Respondent does not currently carry rental arrears.

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 the full amount of rent when due.

*Order*

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

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Adelle Guigon  
Rental Officer