

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

FR

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: February 20, 2019

Place of the Hearing: Behchoko, Northwest Territories

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

Date of Decision: February 20, 2019

REASONS FOR DECISION

An application to a rental officer made by BKGK on behalf of the NTHC as the Applicant/Landlord against FR as the Respondent/Tenant was filed by the Rental Office November 8, 2018. The application was made regarding a residential tenancy agreement for a rental premises located in Behchoko, Northwest Territories. The filed application was sent to the Respondent's last known address by registered mail deemed served December 7, 2018, pursuant to subsection 71(5) of the *Residential Tenancies Act* (the Act).

The Applicant alleged the Respondent had accumulated rental arrears. An order was sought for payment of the rental arrears.

A hearing scheduled for December 4, 2018, was cancelled due to the Applicant's failure to prove service of the filed application and notice of the hearing in advance of the scheduled hearing date. The hearing was re-scheduled to February 20, 2019, in Behchoko. TM and LE appeared representing the Applicant. FR was served notice of the hearing by registered mail sent to his last known address and signed for February 13, 2019. 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 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 December 6, 2013. The Respondent vacated the rental premises, ending the tenancy agreement effective October 31, 2018. I am satisfied a valid tenancy agreement was in place in accordance with the Act.

Rental arrears

The lease balance statement entered into evidence represents the Landlord's accounting of monthly assessed rents and payments received against the Respondent's rent account. All rents were subsidized and last assessed at \$580 per month. Either insufficient payments or no payments were received in 11 of the last 12 months of the tenancy.

I am satisfied the lease balance statement accurately reflects the current status of the Respondent's rent account. I find the Respondent has accumulated rental arrears in the amount of \$5,935. That amount represents approximately 11 months' subsidized rent.

Order

An order will issue requiring the Respondent to pay rental arrears in the amount of \$5,935.

Adelle Guigon
Rental Officer