

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

TW

Respondent/Tenant

REASONS FOR DECISION

<u>Date of the Hearing:</u>	February 20, 2019
<u>Place of the Hearing:</u>	Behchoko, Northwest Territories
<u>Appearances at Hearing:</u>	TM, representing the Applicant LE, representing the Applicant TW, Respondent
<u>Date of Decision:</u>	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 TW as the Respondent/Tenant was filed by the Rental Office January 2, 2019. 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 February 5, 2019.

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

A hearing was scheduled for February 20, 2019, in Behchoko. TM and LE appeared representing the Applicant. TW appeared as Respondent.

Tenancy agreement

The parties agreed and evidence was presented establishing a residential tenancy agreement between them for subsidized public housing commencing August 18, 2017. I am satisfied a valid tenancy agreement is in place in accordance with the *Residential Tenancies Act* (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 have been subsidized and are currently assessed at \$75 per month. No payments were made in six of the last 12 months of the tenancy. However, since the application to a rental officer was made the Respondent has successfully made substantial payments which have resulted in a current credit balance. Consequently, the Applicant's representative withdrew their requests for termination of the tenancy agreement and eviction.

The Respondent did not dispute the accuracy of the Landlord's accounting, acknowledging the repeated pattern of failing to pay the rent when due and committing not to let it happen again.

I am satisfied the lease balance statement accurately reflects the current status of the Respondent's rent account. I find the Respondent has repeatedly failed to pay the rent when due.

Order

An order will issue requiring the Respondent to pay rent on time in the future (p. 41(4)(b)).

Adelle Guigon
Rental Officer