

IN THE MATTER between **MPM**, Applicant, and **EN**, 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:

MPM

Applicant/Landlord

-and-

EN

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: February 19, 2019

Place of the Hearing: Yellowknife, Northwest Territories

Appearances at Hearing: JB, representing the Applicant

Date of Decision: February 19, 2019

REASONS FOR DECISION

An application to a rental officer made by MPM as the Applicant/Landlord against EN as the Respondent/Tenant was filed by the Rental Office January 9, 2019. The application was made regarding a residential tenancy agreement for a rental premises located in Yellowknife, Northwest Territories. The filed application was sent on the Respondent by registered mail deemed served January 28, 2019, pursuant to subsection 71(5) of the *Residential Tenancies Act* (the Act).

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

A hearing was scheduled for February 19, 2019, in Yellowknife. JB appeared representing the Applicant. EN was sent notice of the hearing by registered mail deemed served January 28, 2019. The Respondent emailed the Applicant February 19, 2019, prior to the scheduled hearing time indicating that she would be unable to attend the hearing due to work commitments she could not afford to miss. 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 commencing January 1, 2018. I am satisfied a valid tenancy agreement is in place in accordance with the Act.

Rental arrears

The resident statement entered into evidence represents the Landlord's accounting of monthly rents, late payment penalties, and payments received against the Respondent's rent account. Rent was established at \$1,675 per month. Late payment penalties were calculated in accordance with the Act. Either insufficient payments or no payments were received in five of the last 12 months of the tenancy.

Based on the previously mentioned email received by the Applicant, the Respondent did not dispute the accumulation of rental arrears and expressed regret for falling off track with her rent payments. She committed to paying \$3,200 over the next few weeks.

I am satisfied the resident statement accurately reflects 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 and has accumulated rental arrears in the amount of \$5,335. That amount represents approximately four months' rent.

Orders

An order will issue requiring the Respondent to pay rental arrears in the amount of \$5,335 (p. 41(4)(a)) and requiring the Respondent to pay rent on time in the future (p. 41(4)(b)).

Adelle Guigon
Rental Officer