

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

SG

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: April 10, 2019

Place of the Hearing: Fort Simpson, Northwest Territories

Appearances at Hearing: KK, representing the Applicant

Date of Decision: April 10, 2019

REASONS FOR DECISION

An application to a rental officer made by FSHA on behalf of the NTHC as the Applicant/Landlord against SG as the Respondent/Tenant was filed by the Rental Office December 12, 2018. The application was made regarding a residential tenancy agreement for a rental premises located in Fort Simpson, Northwest Territories. The filed application was sent to the Respondent by registered mail to her last known address and deemed served February 13, 2019, 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 February 7, 2019, was cancelled due to the Applicant's failure to serve the filed application and notice of the hearing on the Respondent in advance of the hearing date. The hearing was re-scheduled to April 10, 2019, in Fort Simpson. The Rental Officer appeared by telephone. KK appeared representing the Applicant. SG was served notice of the hearing by email deemed received April 4, 2019, pursuant to subsection 4(4) of the *Residential Tenancies Regulations* (the Regulations). 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

Evidence was presented establishing a residential tenancy agreement between the parties for subsidized public housing commencing July 16, 2012. The Respondent abandoned the rental premises, ending the tenancy agreement as of July 1, 2018. I am satisfied a valid tenancy agreement was in place in accordance with the Act.

Previous order

Rental Officer Order Number 16008 issued April 5, 2018, required the Respondent to pay rental arrears in the amount of \$5,034.32; required the Respondent to pay future rent on time; terminated the tenancy agreement July 31, 2018, unless at least \$450 was paid towards the rental arrears and the monthly subsidized rents for May, June, and July were paid on time; and evicted the Respondent from the rental premises August 1, 2018, if the termination of the tenancy agreement became effective.

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 \$610 per month. The last payment received on the rent account was recorded April 11, 2018, in the amount of \$200.

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 rent and has failed to comply with a rental officer order to pay future rent on time. I find the Respondent has accumulated rental arrears in the amount of \$6,156.83 of which \$2,650 has accumulated since the last rental officer order was issued. Rental Officer Order Number 16008 remains enforceable.

Order

An order will issue requiring the Respondent to pay rental arrears accumulated since the last rental officer order was issued in the amount of \$2,650.

Adelle Guigon
Rental Officer