

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

CL

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: April 9, 2019

Place of the Hearing: Hay River, Northwest Territories

Appearances at Hearing: AS, representing the Applicant
CL, Respondent

Date of Decision: April 9, 2019

REASONS FOR DECISION

An application to a rental officer made by HRHA on behalf of the NTHC as the Applicant/Landlord against CL as the Respondent/Tenant was filed by the Rental Office January 31, 2019. The application was made regarding a residential tenancy agreement for a rental premises located in Hay River, Northwest Territories. The filed application was served on the Respondent by registered mail signed for March 7, 2019.

The Applicant alleged the Respondent had repeatedly failed to pay rent when due, had accumulated rental arrears, and had failed to comply with a rental officer order to pay future rent on time. 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 scheduled for March 20, 2019, was adjourned at the request of the Respondent and by agreement of the Applicant. The hearing was re-scheduled by mutual agreement to April 9, 2019, in Hay River. The Rental Officer appeared by telephone. AS appeared representing the Applicant. CL appeared as Respondent.

Tenancy agreement

The parties agreed and evidence was presented establishing a residential tenancy agreement between them for subsidized public housing commencing April 1, 2012. I am satisfied a valid tenancy agreement is in place in accordance with the *Residential Tenancies Act* (the Act).

Previous order

Rental Officer Order Number 10-14143 issued July 18, 2014, required the Respondent to pay rental arrears in the amount of \$685.36 in minimum monthly installments of \$75 starting in August 2014; required the Respondent to pay future rent on time; and terminated the tenancy agreement October 31, 2014, unless the minimum monthly installments and the monthly subsidized rents for August, September, and October were paid on time. The Respondent was compliant with this order and, therefore, the termination of the tenancy agreement did not become 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 have been subsidized and are currently assessed at \$80 per month. No payments were received in seven of the last 24 months of the tenancy.

Since filing of the application, the Respondent has paid all rental arrears. Consequently, the Applicant's representative withdrew their requests for payment of rental arrears, termination of the tenancy agreement and eviction.

The Respondent did not dispute the accuracy of the Landlord's accounting, acknowledging her repeated failure to pay the rent in full when due and accepting responsibility for it.

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 and the Respondent failed to comply with a rental officer order to pay future rent on time.

Order

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

Adelle Guigon
Rental Officer