

IN THE MATTER between **NTHC**, Applicant, **VR and PN**, Respondents.

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 **Janice Laycock**, Deputy Rental Officer,

BETWEEN:

NTHC

Applicant/Landlord

-and-

VR AND PN

Respondents/Tenants

REASONS FOR DECISION

Date of the Hearing: May 29, 2019

Place of the Hearing: Whati, NT

Appearances at Hearing: KAF for the Applicant
VR for the Respondents

Date of Decision: May 29, 2019

REASONS FOR DECISION

An application to a rental officer made by WHA on behalf of the NTHC as the Applicant/Landlord against VR and PN as the Respondents/Tenants was filed by the Rental Office February 21, 2019. The application was made regarding a residential tenancy agreement for a rental premises located in Whati, Northwest Territories. The filed application was personally served on the Respondent on April 10, 2019.

The Applicant claimed that the Respondent had rental arrears and sought an order for payment of rental arrears, termination and eviction.

A hearing was scheduled for April 9, 2019. This hearing was cancelled in order to allow more time for the Respondents to receive notice of the application and hearing. A second hearing was scheduled for May 29, 2019 and notice of this hearing was sent to both parties. KAF appeared representing the Applicant and VR appeared representing both Respondents.

Tenancy Agreement

Evidence was presented establishing a tenancy agreement (dated March 28, 2013) between the parties for subsidized public housing. According to this agreement the tenancy commenced on January 1, 2013 and continues on a month to month basis. I am satisfied that a valid tenancy agreement is in place in accordance with the *Residential Tenancies Act*.

Rental Arrears

The Account Summary Statement (Rent Arrears Only) provided by the Applicant and entered into evidence, represents the accounting of monthly assessed rent and payments received up to and including January 2019. According to this statement the balance of arrears owing on June 1, 2016 was \$1.00, by January 1, 2019 total arrears were \$2,379.00. According to the Lease Balance Statement dated May 22, 2019, and entered into evidence, the Respondent did not pay any rent in February or March but did make both rent and rental arrears payments in March and April 2019 resulting in total arrears falling to \$2,279.00 by May 2019.

During the hearing the Applicant testified that although no rental payments were made from November 2018 to February 2019, recent efforts had been made by the Respondents to pay rent and arrears. The Respondent testified that with secure employment until next year they should be able to continue to pay their rent and arrears, including paying rent for May.

I am satisfied that the statements provided by the Applicant accurately reflect the current status of payments made and that the Respondents have repeatedly failed to pay their rent when due accumulating rental arrears of \$2,279.00.

Termination and Eviction

At the hearing the Applicant withdrew their request for termination and eviction, this was based on recent discussions with the Respondents as well as their efforts to pay their rent and pay off their rental arrears.

Order

An order will be issued:

- requiring the Respondents to pay rental arrears of \$2,279.00 (p. 41(4)(a)); and
- requiring the Respondents to pay their rent on time in the future (p. 41(4)(b)).

Janice Laycock
Deputy Rental Officer