

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

MN

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: July 17, 2019

Place of the Hearing: Fort Providence, Northwest Territories

Appearances at Hearing: RMV, representing the Applicant

Date of Decision: July 17, 2019

REASONS FOR DECISION

An application to a rental officer made by FPHA on behalf of the NTHC as the Applicant/Landlord against MN as the Respondent/Tenant was filed by the Rental Office May 27, 2019. The application was made regarding a residential tenancy agreement for a rental premises located in Fort Providence, Northwest Territories. The filed application was personally served on the Respondent June 17, 2019.

The Applicant alleged the Respondent had repeatedly failed to pay rent 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 July 17, 2019, in Fort Providence. The Rental Officer appeared by telephone. RMV appeared representing the Applicant. MN was personally served notice of the hearing June 17, 2019. 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 *Residential Tenancies Act* (the Act).

Tenancy agreement

Evidence was presented establishing a residential tenancy agreement between the parties for subsidized public housing commencing October 1, 2012. I am satisfied a valid tenancy agreement is in place in accordance with 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 have been received in five of the Last 12 months of the tenancy agreement.

The Applicant's representative testified that she had spoken with the Respondent about a month ago and made arrangements for the Respondent to pay his rent by electronic funds transfers. Shortly thereafter, the Respondent made a sufficiently sized payment to bring the rent account to a zero balance. Consequently, the Applicant's representative withdrew their request for an order for payment of rental arrears and sought only an order for future rent to be paid on time.

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

Adelle Guigon
Rental Officer