

IN THE MATTER between **NTHC**, Applicant, and **RBH**, 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 **Janice Laycock**, Rental Officer,

BETWEEN:

NTHC

Applicant/Landlord

-and-

RBH

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: November 4, 2020

Place of the Hearing: Yellowknife, Northwest Territories

Appearances at Hearing: KAF, representing the Applicant

Date of Decision: November 4, 2020

REASONS FOR DECISION

An application to a rental officer made by the WHA on behalf of the NTHC as the Applicant/Landlord against RBH as the Respondent/Tenant was filed by the Rental Office on October 1, 2020. 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 October 14, 2020.

The Applicant claimed that the Respondent had rental arrears and an order was sought for payment of rent owing, payment of rent on time in the future, termination of the tenancy agreement, and eviction.

A hearing was scheduled for November 4, 2020, and notice was provided to both parties. The hearing proceeded by three-way teleconference. KAF appeared at the hearing representing the Applicant. No one appeared for the Respondent. As the Respondent was personally served with notice of the hearing October 14, 2020, the hearing proceeded in their absence under subsection 80(2) of the *Residential Tenancies Act* (the Act).

Tenancy agreement

Evidence was presented establishing a tenancy agreement for subsidized public housing commencing on June 11, 2019, and continuing month to month. I am satisfied that a valid tenancy agreement is in place in accordance with the Act.

Rental arrears

The lease balance statement entered into evidence provides information on charges and payments on the rental account during the period where the arrears accrued from January 1, 2020, to September 1, 2020. According to this statement the Respondent's rent was \$75 per month, they paid no rent for the six months from April to September, and their arrears on September 1, 2020, were \$420. An updated lease balance statement provided to the Rental Officer and the Respondent on November 3, 2020, shows that on October 22nd and 23rd the Respondent paid off all of their arrears, as well as the rents for October and November 2020.

I am satisfied that the lease balance statement provided accurately reflects the current status of the Respondent's rent account and I find the Respondent currently does not have any rental arrears. However, based on the Respondent's history of not paying rent when due as required under their tenancy agreement, I find them in breach of subsection 41(1) of the Act, and will issue an order requiring them to pay their future rent on time.

Orders

An order will be issued requiring the Respondent to pay their rent on time in the future (p. 41(4)(b)).

Janice Laycock
Rental Officer