

IN THE MATTER between **NTHC**, Applicant, and **RO**, 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 **Hal Logsdon**, Rental Officer,

BETWEEN:

**NTHC**

Applicant/Landlord

-and-

**RO**

Respondent/Tenant

**REASONS FOR DECISION**

<b><u>Date of the Hearing:</u></b>	<b>November 16, 2021</b>
<b><u>Place of the Hearing:</u></b>	<b>Yellowknife, Northwest Territories</b>
<b><u>Appearances at Hearing:</u></b>	<b>SK, representing the Applicant KJ, representing the Applicant</b>
<b><u>Date of Decision:</u></b>	<b>November 16, 2021</b>

### **REASONS FOR DECISION**

The Respondent was served with a notice of attendance sent by registered mail and confirmed delivered. The Respondent failed to appear at the hearing and the hearing was held in his absence.

The monthly tenancy agreement between the parties was made in writing and commenced on July 21, 2016. The premises are subsidized public housing.

The application was filed on October 18, 2021, seeking the payment of alleged rent arrears, the termination of the tenancy agreement, and the issuance of an eviction order. The Applicant testified that since the application was filed the Respondent had reported the household income and the monthly rent had been adjusted retroactively, substantially reducing the quantum of rent arrears. The Applicant stated that the full unsubsidized rent had been applied due to the Respondent's failure to report the household income. The parties have also agreed on a repayment schedule for the payment of the arrears, now agreed to be \$1,550.

The Applicant withdrew the request for an order terminating the tenancy agreement and an eviction order in favour of an order requiring the payment of the alleged rent arrears in accordance with the repayment agreement, the payment of monthly assessed rent on time, and the reporting of income when requested.

The Applicant provided a copy of the tenant ledger and a copy of the repayment agreement in evidence. The ledger indicates a balance owing as at November 10, 2021, of \$1,550. The Applicant testified that no rent payments had been received since that date. The repayment agreement obligates the Respondent to pay the arrears in monthly payments of \$250 per month commencing in November 2021.

I find the ledger in order and I find the Respondent in breach of his obligation to pay rent. I find rent arrears of \$1,550.

An order shall issue requiring the Respondent to pay the Applicant rent arrears in the amount of \$1,550 in monthly payments of no less than \$250, payable no later than the last day of every month, the first payment being due in November 2021. The order shall also require the Respondent to pay the monthly assessed rent on time and to report the household income in the future when required by the landlord.

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Hal Logsdon  
Rental Officer