

IN THE MATTER between **N.T.H.C.**, Applicant, and **M.W. and R.M.**, 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 **Hal Logsdon**, Rental Officer, regarding a rental premises located within the **hamlet of Fort Resolution in the Northwest Territories**.

BETWEEN:

N.T.H.C.

Applicant/Landlord

-and-

M.W. AND R.M.

Respondents/Tenants

REASONS FOR DECISION

<u>Date of the Hearing:</u>	February 7, 2023
<u>Place of the Hearing:</u>	Yellowknife, NT via teleconference
<u>Appearances at Hearing:</u>	M.U., representing the Applicant
	M.W., Respondent
<u>Date of Decision:</u>	February 7, 2023

REASONS FOR DECISION

The joint tenancy agreement between the parties was monthly and began on January 1, 2017. Prior to that date, there were two sole tenancy agreements between the Applicant and M.W. Rent arrears from these tenancy agreements have been determined by previous orders and are not being considered here. The premises are subsidized public housing.

The Applicant alleged that the Respondents had breached this tenancy agreement by failing to pay rent and sought an order requiring the Respondents to pay the alleged rent arrears and terminating the tenancy agreement. The application was filed on January 4, 2023 and was set for hearing on February 7, 2023.

The Applicant provided a lease balance statement in evidence which indicated a balance of rent owing with regard to the joint tenancy in the amount of \$6,760. The Respondent did not dispute the balance owing and stated that she could pay the monthly assessed rent plus an additional \$400/month until the rent arrears were paid. The Applicant withdrew the request for termination of the tenancy agreement in favour of an order to pay the monthly rent plus an additional \$400/month until the rent arrears were paid in full.

A previous order (file #16684, filed on October 18, 2019) ordered the Respondents to pay rent arrears of \$2,805. There is no evidence that this order has been enforced. I find the statement in order and find rent arrears of \$6,760. Taking into account the previous order, an additional order shall issue requiring the Respondents to pay rent arrears of \$3,955.

Rent arrears as per statement	\$6,760
Less previous order (#16684)	<u>(2,805)</u>
Order	\$3,955

The rent arrears shall be paid in monthly installments of no less than \$400/month, along with the monthly assessed rent until the rent arrears are paid in full. The monthly rent payments shall be due no later than the last business day of every month, the first payment becoming due no later than February 28, 2023. The Respondents are also ordered to pay the monthly rent in advance in accordance with the tenancy agreement.

Should the Respondents fail to pay the ordered rent arrears in accordance with this order or fail to pay the monthly assessed rent on time, the Applicant may file an application requesting the balance owing to be paid in lump sum and termination of the tenancy agreement.

Hal Logsdon
Rental Officer