

IN THE MATTER between **NTHC**, Applicant, and **LCH**, 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, regarding a rental premises located within the **town of Fort Smith in the Northwest Territories**.

BETWEEN:

NTHC

Applicant/Landlord

-and-

LCH

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: August 2, 2023

Place of the Hearing: Yellowknife, Northwest Territories

Appearances at Hearing: JG, representing the Applicant

Date of Decision: August 2, 2023

REASONS FOR DECISION

An application to a rental officer made by the FSHA on behalf of the NTHC as the Applicant/Landlord against LCH as the Respondent/Tenant was filed by the Rental Office May 30, 2023. The application was made regarding a residential tenancy agreement for a rental premises located in Fort Smith, Northwest Territories. The filed application was served on the Respondent by registered mail on June 12, 2023.

The Applicant claimed the Respondent had failed to pay rent when due and had accumulated rental arrears. An order was sought for payment of rental arrears and to pay rent on time in the future.

A hearing was held on August 2, 2023 by teleconference. JG appeared representing the Applicant. The Respondent did not appear, nor did anyone appear on their behalf. As the Respondent failed to appear after receiving sufficient notice, the hearing proceeded in their absence, as provided for under subsection 80(2) of the *Residential Tenancies Act* (the Act).

Tenancy agreement

Evidence was provided establishing a residential tenancy agreement for subsidized public housing commencing on April 1, 2012, and continuing month to month. The assessed rent is currently \$365 per month. I am satisfied a valid tenancy agreement is in place in accordance with the Act.

Rental arrears

The Applicant provided, as evidence, a lease balance statement to April 1, 2023. The statement represents the Landlord's accounting of monthly rents and payments made against the Respondents' account and shows \$1,260 owing. At the hearing, the Applicant testified that the Respondent had made rent and arrears payments and now owed \$865. An updated statement was provided to the Rental office, but the Applicant was not able to provide a copy of the updated statement to the Respondent prior to the hearing. Based on the evidence and testimony, I find the Respondent currently has rental arrears totalling \$865.

Orders

An order will issue:

- requiring the Respondent to pay rental arrears owing in the amount of \$865 (p. 41(4)(a)); and
- requiring the Respondent to pay their rent on time in the future (p. 41(4)(b)).

Janice Laycock
Rental Officer