

IN THE MATTER between **Northwest Territories Housing Corporation**, Applicant,
and **Janina Semple**, 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**, Deputy Rental Officer,
regarding a rental premises located within the **hamlet of Aklavik in the Northwest
Territories.**

BETWEEN:

NORTHWEST TERRITORIES HOUSING CORPORATION

Applicant/Landlord

- and -

JANINA SEMPLE

Respondent/Tenant

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to sections 41(4)(a) and 84(2) of the *Residential Tenancies Act*, the respondent must pay to the applicant rental arrears in the amount of \$1,521.00 (one thousand five hundred twenty-one dollars) in minimum monthly installments of \$100.00 (one hundred dollars) starting in May 2016.
2. Pursuant to section 41(4)(b) of the *Residential Tenancies Act*, the respondent must pay her rent on time in the future.

3. Pursuant to sections 41(4)(c) and 83(2) of the *Residential Tenancies Act*, the tenancy agreement between the parties will terminate June 30, 2016, and the respondent must vacate the rental premises on or before that date, unless the rents for April, May and June 2016 and the minimum monthly installments for May and June 2016 are paid on time.

DATED at the City of Yellowknife in the Northwest Territories this 30th day of March 2016.

Adelle Guigon
Deputy Rental Officer

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Respondent/Tenant

REASONS FOR DECISION

<u>Date of the Hearing:</u>	March 23, 2016
<u>Place of the Hearing:</u>	Aklavik, Northwest Territories, by teleconference
<u>Appearances at Hearing:</u>	Flora Elanik, representing the applicant Janina Semple, respondent
<u>Date of Decision:</u>	March 23, 2016

REASONS FOR DECISION

An application to a rental officer made by Aklavik Housing Association as the applicant/landlord against Janina Semple as the respondent/tenant was filed by the Rental Office February 1, 2016. The application was made regarding a subsidized public housing residential tenancy agreement for a rental premises located in Aklavik, Northwest Territories. The applicant served a copy of the filed application on the respondent by registered mail signed for February 12, 2016.

The applicant alleged the respondent had accumulated rental arrears and sought an order for payment of the arrears, that future rent be paid on time, and termination of the tenancy agreement. Evidence submitted is listed in Appendix A attached to this order.

A hearing was scheduled for March 23, 2016, in Aklavik, Northwest Territories. The rental officer appeared by telephone. Ms. Flora Elanik appeared representing the applicant. Ms. Janina Semple appeared as respondent.

Preliminary matters

The application to a rental officer identified the landlord as Aklavik Housing Association. The written tenancy agreement identified the landlord as Northwest Territories Housing Corporation with Aklavik Housing Association as its agent. The parties agreed at hearing, and the style of cause going forward will identify, that the landlord should appropriately be Northwest Territories Housing Corporation.

Tenancy agreement

The parties agreed and evidence was presented establishing a tenancy agreement between them for subsidized public housing in Aklavik, Northwest Territories. The tenancy commenced October 1, 2015. The maximum monthly rent was set at \$1,445. I am satisfied a valid tenancy agreement for subsidized public housing is in place between the parties in accordance with the *Residential Tenancies Act* (the Act).

Rental arrears

The applicant's representative provided evidence establishing the respondent had accumulated rental arrears in the amount of \$1,521. All the rent is subsidized. The respondent did not dispute this allegation, accepting responsibility for it. The respondent asked to enter into a monthly payment plan to resolve the arrears. The applicant's representative was agreeable to this request. The respondent agreed to pay \$100 per month towards her rental arrears starting in May 2016 and to pay her monthly rent on time.

Termination of the tenancy agreement

The accumulated rental arrears represent approximately 12 months of subsidized rent. In consideration of the substantial amount of rental arrears I am satisfied termination of the tenancy agreement is justified. However, the parties were agreeable to an order to terminate the tenancy conditional on the payment of the minimum monthly installments and rents when due. I find this proposal appropriate.

Order

An order will issue requiring the respondent to pay rental arrears in the amount of \$1,521 in minimum monthly installments of \$100 starting in May 2016; to pay her rent on time in the future; and terminating her tenancy agreement on June 30, 2016, unless the rents for April, May, and June 2016 and the minimum monthly installments for May and June 2016 are paid on time.

Adelle Guigon
Deputy Rental Officer

APPENDIX A

Exhibits

Exhibit 1: Residential tenancy agreement dated October 1, 2015

Exhibit 2: Statement of account dated December 7, 2015

Exhibit 3: Agreement to pay rental arrears dated February 20, 2015

Exhibit 4: Rent calculation forms for February to December 2015

Exhibit 5: Statement of account dated March 22, 2016

Exhibit 6: Agreement to pay rental arrears dated February 20, 2015