

IN THE MATTER between **Northwest Territories Housing Corporation**, Applicant, and  
**Rena McKay**, 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**, Rental Officer, regarding a  
rental premises located within the **hamlet of Fort Resolution in the Northwest  
Territories.**

BETWEEN:

**NORTHWEST TERRITORIES HOUSING CORPORATION**

Applicant/Landlord

- and -

**RENA MCKAY**

Respondent/Tenant

**ORDER and EVICTION ORDER**

IT IS HEREBY ORDERED:

1. Pursuant to section 41(4)(a) of the *Residential Tenancies Act*, the respondent must pay to the applicant rental arrears in the amount of \$600.00 (six hundred dollars).
2. Pursuant to sections 41(4)(a) and 54(4) of the *Residential Tenancies Act*, the tenancy agreement between the parties will terminate May 31, 2016, and the respondent must vacate the rental premises on or before that date.

3. Pursuant to section 63(4)(a) of the *Residential Tenancies Act*, the respondent will be evicted from the rental premises known as Unit #0011 (137), Lot 19-64, Plan 582, in Fort Resolution, Northwest Territories, on June 1, 2016.

DATED at the City of Yellowknife in the Northwest Territories this 22nd day of April 2016.

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Adelle Guigon  
Rental Officer

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(the "Act");

AND IN THE MATTER of a hearing before **Adelle Guigon**, Deputy Rental Officer,

BETWEEN:

**NORTHWEST TERRITORIES HOUSING CORPORATION**

Applicant/Landlord

-and-

**RENA MCKAY**

Respondent/Tenant

**REASONS FOR DECISION**

<b><u>Date of the Hearing:</u></b>	<b>April 21, 2016</b>
<b><u>Place of the Hearing:</u></b>	<b>Fort Resolution, Northwest Territories, by teleconference</b>
<b><u>Appearances at Hearing:</u></b>	<b>Kim Beaulieu, representing the applicant Morgan Unka, representing the applicant</b>
<b><u>Date of Decision:</u></b>	<b>April 21, 2016</b>

**REASONS FOR DECISION**

An application to a rental officer made by Fort Resolution Housing Authority as the applicant/landlord against Rena McKay as the respondent/tenant was filed by the Rental Office March 2, 2016. The application was made regarding a subsidized public housing residential tenancy agreement for a rental premises located in Fort Resolution, Northwest Territories. The applicant sent a copy of the filed application to the respondent by registered mail deemed served March 17, 2016, pursuant to section 71(5) of the *Residential Tenancies Act* (the Act).

The applicant alleged the respondent had accumulated rental arrears and been repeatedly and unreasonably late paying her rent. An order was sought for payment of the rental arrears, termination of the tenancy agreement, and eviction.

A hearing was scheduled for April 21, 2016, in Fort Resolution, Northwest Territories. The rental officer appeared by telephone. Ms. Kim Beaulieu appeared by telephone representing the applicant. Ms. Morgan Unka appeared in Fort Resolution representing the applicant. Ms. Rena McKay was served with notice of the hearing by registered mail signed for April 8, 2016. Ms. McKay did not appear at hearing, nor did anyone appear on her behalf. The hearing proceeded in her absence pursuant to section 80(2) of the Act.

*Preliminary matters*

The application to a rental officer identified the landlord as Fort Resolution Housing Authority. The written tenancy agreement identified the landlord as Northwest Territories Housing Corporation with Fort Resolution Housing Authority as its agent. The applicant agreed the style of cause should identify the applicant/landlord as Northwest Territories Housing Corporation and going forward will be so amended.

*Tenancy agreement*

The applicant provided into evidence a written tenancy agreement for subsidized housing establishing an agreement between the parties commencing April 1, 2014. I am satisfied a valid tenancy agreement is in place between the parties for subsidized public housing in accordance with the Act.

*Rental arrears*

The applicant provided into evidence lease balance statements representing the landlord's accounting of monthly assessed rents and payments made against the respondent's rent account. I am satisfied these documents accurately reflect the current status of the respondent's rent account. I find the respondent has accumulated rental arrears in the amount of \$600.

The statements indicate that all rents have been subsidized according to reported household income and that since April 1, 2015, the respondent has made four payments totalling \$375; the last payment was received on September 11, 2015. The rental arrears of \$600 represent eight months of subsidized rent. On December 11, 2014, a rental officer order was made under file number 10-14372 for the respondent to pay her future rent on time. I am satisfied the respondent has been repeatedly and unreasonably late paying rent and has failed to comply with a rental officer order to pay her future rent on time.

*Termination of the tenancy agreement and eviction*

The applicant provided into evidence three letters to the respondent notifying her of her rental arrears and obligation to pay, establishing that the respondent was aware of her arrears and has done nothing about them since September 2015. The applicant gave the respondent notice on January 5, 2016, to terminate the tenancy agreement February 5, 2016, pursuant to section 54(1)(g) of the Act for repeatedly and unreasonably failing to pay rent. I am satisfied this notice was given in accordance with the Act. The respondent continues to occupy the rental premises to date. Under the circumstances, I find termination of the tenancy agreement and eviction is justified.

*Order*

An order will issue requiring the respondent to pay rental arrears in the amount of \$600, terminating her tenancy agreement May 31, 2016, and evicting her from the rental premises June 1, 2016.

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Adelle Guigon  
Rental Officer