

IN THE MATTER between **Northwest Territories Housing Corporation**, Applicant, and **James Nadli and Stella Nadli**, 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, **Adelle Guigon**, Rental Officer, regarding a rental premises located within the **hamlet of Fort Providence in the Northwest Territories**.

BETWEEN:

**NORTHWEST TERRITORIES HOUSING CORPORATION**

Applicant/Landlord

- and -

**JAMES NADLI and STELLA NADLI**

Respondents/Tenants

**ORDER**

IT IS HEREBY ORDERED:

1. Pursuant to section 41(4)(a) of the *Residential Tenancies Act*, the respondents must pay to the applicant rental arrears in the amount of \$1,697.27 (one thousand six hundred ninety-seven dollars twenty-seven cents).
2. Pursuant to section 41(4)(b) of the *Residential Tenancies Act*, the respondents must pay their 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 July 31, 2016, and the respondents must vacate the rental premises on or before that date, unless the monthly rents for May to August 2016 are paid on time and the rental arrears specified in paragraph 1 of this order are paid in full.

DATED at the City of Yellowknife in the Northwest Territories this 26th day of April 2016.

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Adelle Guigon  
Rental Officer

IN THE MATTER between **Northwest Territories Housing Corporation**, Applicant, and  
**James Nadli and Stella Nadli**, 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 **Adelle Guigon**, Deputy Rental Officer,

BETWEEN:

**NORTHWEST TERRITORIES HOUSING CORPORATION**

Applicant/Landlord

-and-

**JAMES NADLI and STELLA NADLI**

Respondents/Tenants

**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 Providence, Northwest Territories, by teleconference</b>
<b><u>Appearances at Hearing:</u></b>	<b>Alphonsine Gargan, representing the applicant James Nadli, respondent Stella Nadli, respondent</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 Providence Housing Association on behalf of the Northwest Territories Housing Corporation as the applicant/landlord against James Nadli and Stella Nadli as the respondents/tenants 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 Providence, Northwest Territories. The applicant served a copy of the filed application on the respondents by registered mail signed for March 22, 2016.

The applicant alleged the respondents had repeatedly failed to pay their rent on time and had accumulated rental arrears. An order was sought for payment of the rental arrears, that future rent be paid on time, and termination of the tenancy agreement.

A hearing was scheduled for April 21, 2016, in Fort Providence, Northwest Territories. The rental officer appeared by telephone. Ms. Alphonsine Gargan appeared representing the applicant. Mr. James Nadli and Ms. Stella Nadli appeared as respondents.

*Tenancy agreement*

The parties agreed and evidence was submitted establishing a residential tenancy agreement between them for subsidized public housing for a premises located in Fort Providence, Northwest Territories. The tenancy commenced April 1, 2014. 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 parties agreed and evidence was submitted establishing that the respondents had been repeatedly late paying their rent throughout their tenancy and had accumulated rental arrears in the amount of \$1,697.27. I am satisfied the respondents have been repeatedly late paying rent and find they have accumulated rental arrears in the amount of \$1,697.27.

*Termination of the tenancy agreement*

The amount of rental arrears are substantial considering all monthly rents have been assessed subsidies based on reported household income. The rental arrears represent approximately 4.5 months' rent. I am satisfied termination of the tenancy agreement is justified under the circumstances. The respondents indicated they expect to start receiving employment insurance cheques in the near future, and anticipate being able to resolve the arrears with that first cheque. It seems unlikely to me that the respondents' first employment insurance cheque will be of sufficient amount to resolve the rental arrears in full, however with careful planning I am satisfied they should be able to pay their monthly assessed rents and pay the rental arrears in full within three months. As such, I am satisfied termination of the tenancy should be conditional on the payment in full of the rental arrears.

*Order*

An order will issue requiring the respondents to pay rental arrears in the amount of \$1,697.27; to pay their rent on time in the future; and terminating their tenancy agreement July 31, 2016, unless the monthly rents for May to August 2016 are paid on time and the rental arrears are paid in full.

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Adelle Guigon  
Rental Officer