

IN THE MATTER between **YWCA OF YELLOWKNIFE**, Applicant, and **GWEN PANAKTAK**, 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, **HAL LOGSDON**, Rental Officer, regarding the rental premises at **YELLOWKNIFE, NT**.

BETWEEN:

YWCA OF YELLOWKNIFE

Applicant/Landlord

- and -

GWEN PANAKTAK

Respondent/Tenant

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to section 41(4)(a) of the *Residential Tenancies Act*, the respondent shall pay the applicant rental arrears in the amount of four thousand nine hundred fifty dollars (\$4,950.00).

DATED at the City of Yellowknife in the Northwest Territories this 20th day of February 2004.

Hal Logsdon
Rental Officer

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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.

BETWEEN:

YWCA OF YELLOWKNIFE

Applicant/Landlord

-and-

GWEN PANAKTAK

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: February 11, 2004

Place of the Hearing: Yellowknife, NT

Appearances at Hearing: Kate Wilson, representing the applicant

Date of Decision: February 11, 2004

REASONS FOR DECISION

The respondent was served with a Notice of Attendance on February 1, 2004 but failed to appear at the hearing. The hearing was held in her absence.

The tenancy agreement between the parties was terminated on March 10, 2003 when the respondent vacated the premises. The applicant alleged that the respondent failed to pay the full amount of rent during the tenancy and sought an order requiring the respondent to pay the alleged rental arrears.

The applicant provided a statement of the rent account which indicated a balance owing in the amount of \$5,100 and testified that since the application was filed the respondent had made a payment of \$150, bringing the balance owing to \$4,950. The applicant stated that the parties had entered into a payment plan for the arrears, but the respondent had failed to make the agreed upon payments.

This application was filed more than six months after the termination of the tenancy agreement, but it appears the applicant had reason to believe the matter could be resolved without resorting to legal action. In my opinion, it is not unfair to either party to extend the time period required to make an application and determine this matter.

I find the statement in order and, considering the recent payment, I find the rental arrears to be \$4,950. I find the respondent in breach of her obligation to pay rent. An order shall issue requiring the respondent to pay the applicant rental arrears in the amount of \$4,950.

Hal Logsdon
Rental Officer