

IN THE MATTER between **INUVIALUIT DEVELOPMENT CORPORATION**,
Applicant, and **FRED TRIMBLE**, 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 **INUVIK, NT.**

BETWEEN:

INUVIALUIT DEVELOPMENT CORPORATION

Applicant/Landlord

- and -

FRED TRIMBLE

Respondent/Tenant

ORDER

IT IS HEREBY ORDERED:

1. The application is dismissed.

DATED at the City of Yellowknife, in the Northwest Territories this 3rd day of April,
2007.

Rental Officer

Hal Logsdon

IN THE MATTER between **INUVIALUIT DEVELOPMENT CORPORATION**,
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BETWEEN:

INUVIALUIT DEVELOPMENT CORPORATION

Applicant/Landlord

-and-

FRED TRIMBLE

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: April 3, 2007

Place of the Hearing: Inuvik, NT via teleconference

Appearances at Hearing: Tanya Gruben, representing the applicant
Fred Trimble, respondent

Date of Decision: April 3, 2007

REASONS FOR DECISION

The applicant noted that they intended to make the application against Fred Trimble and Laurie Trimble rather than Fred Trimble and Carol Trimble. As Laurie Trimble was not served with a Notice of Attendance, the applicant elected to proceed against Fred Trimble only. The style of cause of the order shall be reflect this change.

This tenancy agreement was terminated by order on December 30, 2005. The respondent failed to give up possession, overholding until January 31, 2006. The current application was filed on January 23, 2007 and seeks compensation for use and occupation in January, 2006, utility charges, and repair costs.

Sections 68(1) and 68(3) set out a time period for the filing of applications and permit a rental officer to extend the time for filing.

- 68. (1) An application by a landlord or a tenant to a rental officer must be made within six months after the breach of an obligation under this Act or the tenancy agreement or the situation referred to in the application arose.**
- (3) A rental officer may extend the time for the making of an application to the rental officer, whether or not the time for making the application to a rental officer has expired, where the rental officer is of the opinion that it would not be unfair to do so.**

The applicant suggested that the time limitation should be extended because the repairs were extensive and it took more than six months to receive all the invoices for materials and labour.

It has been the practice of this tribunal to extend the time for filing only where there is a compelling reason why the application could not be reasonably made or where the applicant had reason to believe that the dispute would be resolved without recourse to legal action. In my opinion, neither of these reasons apply to this matter. The dates of the invoices provided in evidence by the applicant suggest that all were received by the applicant before the expiry of the six month limitation. In any case, any outstanding amounts could have been easily obtained or accurately estimated prior to the deadline. There have been no payments received from the respondent to lead the applicant to believe this matter would be resolved without an order.

In my opinion, there is no reason why I should consider an extension to the time limitation contained in section 68 of the Act. Accordingly, the application is dismissed.

Hal Logsdon
Rental Officer