

IN THE MATTER between **Yellowknife Dairies Ltd. o/a YKD Property Management**, Applicant, and **Betty-Lou Comber**, Respondent;

AND IN THE MATTER of the **Residential Tenancies Act** R.S.N.W.T. 1988, Chapter R-5 (the "Act") and amendments thereto;

AND IN THE MATTER of a Hearing before, **Adelle Guigon**, Deputy Rental Officer, regarding a rental premises within **the city of Yellowknife in the Northwest Territories**.

BETWEEN:

YELLOWKNIFE DAIRIES LTD. o/a YKD PROPERTY MANAGEMENT

Applicant/Landlord

- and -

BETTY-LOU COMBER

Respondent/Tenant

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 \$7,545.00 (seven thousand five hundred forty-five dollars).
2. Pursuant to section 41(4)(b) of the *Residential Tenancies Act*, the respondent must pay her rent on time in the future.

DATED at the City of Yellowknife in the Northwest Territories this 10th day of August 2015.

Adelle Guigon
Deputy Rental Officer

IN THE MATTER between **Yellowknife Dairies Ltd. o/a YKD Property Management**, Applicant, and **Betty-Lou Comber**, 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.

BETWEEN:

YELLOWKNIFE DAIRIES LTD. o/a YKD PROPERTY MANAGEMENT

Applicant/Landlord

-and-

BETTY-LOU COMBER

Respondent/Tenant

REASONS FOR DECISION

<u>Date of the Hearing:</u>	July 22, 2015
<u>Place of the Hearing:</u>	Yellowknife, Northwest Territories
<u>Appearances at Hearing:</u>	Charles Wyman, representing the applicant Betty-Lou Comber, respondent
<u>Date of Decision:</u>	July 22, 2015

REASONS FOR DECISION

An application to a rental officer made by Yellowknife Dairies Ltd. o/a YKD Property Management as the applicant/landlord against Betty-Lou Comber as the respondent/tenant was filed by the Rental Office June 4, 2015. The application was made regarding a residential tenancy agreement for the rental premises known as #4, 486 Range Lake Road, in Yellowknife, Northwest Territories. The applicant served a copy of the filed application on the respondent by email deemed received June 7, 2015, pursuant to section 4(4) of the *Residential Tenancies Regulations* (the Regulations).

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

A hearing was scheduled for July 22, 2015, in Yellowknife, Northwest Territories. Mr. Charles Wyman appeared representing the applicant. Ms. Betty-Lou Comber appeared as respondent.

Tenancy agreement

The parties agreed and the residential tenancy agreement entered into evidence established a tenancy agreement between them for the rental premises known as #4, 486 Range Lake Road, in Yellowknife, Northwest Territories. The tenancy commenced October 1, 2014. I am satisfied a valid tenancy agreement is in place between the parties in accordance with the *Residential Tenancies Act* (the Act).

Rental arrears

The tenant aged detail entered into evidence represents the landlord's accounting of monthly rents and payments received against the respondent's rent account. Partial payments were made against the account on July 2 and July 16, 2015; prior to that, the last payment received was on April 23, 2015, in the amount of \$2,000. The respondent did not dispute the accuracy of the detail and acknowledged her rental arrears. She accepted responsibility for the arrears and anticipates being able to resolve the arrears in full upon receiving her superannuation payout after her retirement the end of August. She has given written notice to terminate her tenancy August 31, 2015, which the landlord has accepted.

Section 4 of the tenancy agreement specifies the rent of \$2,100 is due on the first day of every month. I am satisfied the tenant aged detail accurately reflects the current status of the respondent's rent account. I find the respondent has failed to comply with her obligation to pay her rent in full when it is due and has accumulated rental arrears in the amount of \$7,545.

Order

An order will issue requiring Ms. Betty-Lou Comber to pay rental arrears in the amount of \$7,545 and to pay her rent on time in the future.

Adelle Guigon
Deputy Rental Officer

APPENDIX A

Exhibits

Exhibit 1: Aged overdue receivables detail as at June 3, 2015

Exhibit 2: Statement dated July 21, 2015

Exhibit 3: Tenant aged detail as at July 21, 2015

Exhibit 4: Residential tenancy agreement signed September 12, 2014