

IN THE MATTER between **LD**, Applicant, and **LC**, 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,

BETWEEN:

LD

Applicant/Landlord

-and-

LC

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: July 4, 2018

Place of the Hearing: Yellowknife, Northwest Territories

Appearances at Hearing: LD, applicant
LC, respondent

Date of Decision: July 4, 2018

REASONS FOR DECISION

An application to a rental officer made by LD as the applicant/landlord against LC as the respondent/tenant was filed by the Rental Office May 4, 2018. The application was made regarding a residential tenancy agreement for a rental premises located in Yellowknife, Northwest Territories. The filed application was personally served on the respondent June 15, 2018.

The applicant alleged the respondent had repeatedly failed to pay the rent in full when due, had accumulated rental arrears, and had repeatedly and unreasonably disturbed the landlord's and other tenant's enjoyment or possession of the rental premises and residential complex. An order was sought for payment of rental arrears, termination of the tenancy agreement, and eviction.

A hearing was scheduled for July 4, 2018, in Yellowknife. LD appeared as applicant. LC appeared as respondent.

Tenancy agreement

The parties agreed and evidence was presented establishing a residential tenancy agreement between them commencing August 11, 2017. The respondent vacated the rental premises, ending the tenancy June 27, 2017. I am satisfied a valid tenancy agreement was in place in accordance with the *Residential Tenancies Act* (the Act).

Rental arrears

The parties agreed that the respondent had accumulated rental arrears in the amount of \$1,070. The applicant requested late payment penalties be calculated against the rental arrears. The respondent admitted to withholding the rent in a half-hearted attempt to secure an abatement due to the condition of the rental premises. The respondent was reminded that rent is always due in full in accordance with the terms of the tenancy agreement, despite any other issues which may arise. If the respondent had any concerns regarding the condition of the rental premises during his occupancy which the landlord did not address, the respondent could have filed an application to a rental officer to resolve the matter and determine appropriate remedies.

I find the respondent has accumulated rental arrears in the amount of \$1,377, including late payment penalties.

Disturbances

The applicant made allegations of substantial disturbances caused by the respondent, which the respondent disputed. Given the applicant has already achieved the desired remedy with the tenancy having ended June 27, 2018, no findings were made with respect to the allegations of disturbances.

Order

An order will issue requiring the respondent to pay rental arrears in the amount of \$1,377.

Adelle Guigon
Rental Officer