

IN THE MATTER between **NCHYP**, Applicant, and **AT**, 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 **Janice Laycock**, Rental Officer,

BETWEEN:

NCHYP

Applicant/Landlord

-and-

AT

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: August 17, 2021

Place of the Hearing: Yellowknife, Northwest Territories

Appearances at Hearing: RP, representing the Applicant
AT, the Respondent

Date of Decision: August 17, 2021

REASONS FOR DECISION

An application to a rental officer made by NCHYP as the Applicant/Landlord against AT as the Respondent/Tenant was filed by the Rental Office July 2, 2021. The application was made regarding a residential tenancy agreement for a rental premises located in Yellowknife, Northwest Territories. The filed application was served on the Respondent by email deemed received July 25, 2021.

The Applicant claimed the Respondent had accumulated significant rental arrears and an order was sought for payment of the rental arrears, termination of the tenancy and eviction.

A hearing was held August 17, 2021, by three-way teleconference. RP appeared representing the Applicant. The Respondent AT appeared.

Tenancy agreement

Evidence was provided establishing a tenancy agreement between NPR Limited Partnership and AT and IB commencing on December 1, 2017, and continuing month to month. At the hearing it was clarified that the Landlord is now known as NCHYP and IB remains a Tenant under the tenancy agreement.

I am satisfied that a valid tenancy agreement is in place in accordance with the *Residential Tenancies Act* (the Act).

Rental arrears

The international lease ledger entered into evidence represents the Landlord's accounting of monthly rents and payments received against the Respondent's rent account. The monthly rent is \$2,500. On August 17, 2021, just prior to the hearing, the Applicant provided the Rental office with an updated ledger. At the hearing it was explained that these ledgers are available online to the Tenants and can be accessed anytime.

According to this ledger and the testimony of the Applicant, as recently as June 2021 the Respondent owed over \$6,000, but as of August 16, 2021, the Respondent had paid their rent and all but \$10.01 of their rental arrears. The ledger includes late payment penalties that are consistent with the Act and section 3 of the *Residential Tenancies Regulations* (the Regulations).

At the hearing the Applicant withdrew their request for termination of the tenancy and eviction, and asked only for an order to pay rent on time in the future. I am satisfied the updated lease ledger accurately reflects the status of the rental account as of August 16, 2021, and the Respondent currently owes \$10.01.

Orders

An order will issue requiring the Respondent to pay their rent on time in the future (p. 41(4)(b)).

Janice Laycock
Rental Officer