

IN THE MATTER between **FORT PROVIDENCE HOUSING ASSOCIATION**,
Applicant, and **JERROLD BONNETROUGE AND APRIL GARGAN**, Respondents;

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 **FORT PROVIDENCE, NT**.

BETWEEN:

FORT PROVIDENCE HOUSING ASSOCIATION

Applicant/Landlord

- and -

JERROLD BONNETROUGE AND APRIL GARGAN

Respondents/Tenants

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to section 41(4)(a) of the *Residential Tenancies Act*, the respondents shall pay the applicant rent arrears in the amount of seven thousand three hundred fifty six dollars and forty two cents (\$7356.42).

DATED at the City of Yellowknife, in the Northwest Territories this 25th day of October,
2007.

Hal Logsdon
Rental Officer

IN THE MATTER between **FORT PROVIDENCE HOUSING ASSOCIATION**,
Applicant, and **JERROLD BONNETROUGE AND APRIL GARGAN**, Respondents.

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:

FORT PROVIDENCE HOUSING ASSOCIATION

Applicant/Landlord

-and-

JERROLD BONNETROUGE AND APRIL GARGAN

Respondents/Tenants

REASONS FOR DECISION

Date of the Hearing: **October 22, 2007**

Place of the Hearing: **Fort Providence, NT via teleconference**

Appearances at Hearing: **Loretta Landry, representing the applicant**
Jerrold Bonnetrouge, respondent

Date of Decision: **October 22, 2007**

REASONS FOR DECISION

The tenancy agreement between the parties was terminated on March 13, 2007 when the respondents vacated the premises. The applicant retained the security deposit and accrued interest applying it to repair costs to the premises. The applicant sought an order requiring the respondents to pay rent arrears in excess of the retained security deposit.

The applicant provided a copy of the tenant ledger in evidence which indicated a balance of rent owing in the amount of \$7356.42. The respondent did not dispute the allegations.

I find the ledger in order and find the respondents in breach of their obligation to pay rent. I find the rent arrears to be \$7356.42.

It should be noted that the application was filed on September 14, 2007, six months and one day after the termination of the tenancy agreement. Section 68 of the *Residential Tenancies Act*, requires applications to be made within six months but permits a rental officer to extend the time limitation.

- 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.**
- (2) A landlord or a tenant making an application to a rental officer for an order or a decision under this Act must file the application with the rental officer and serve a copy of the application on the other party within at least 14 days after the filing of the application.**

- (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.**

In my opinion, it is not unfair to extend this time limitation as the application was only one day over the limitation and the respondents do not dispute the allegations.

An order shall issue requiring the respondents to pay the applicant rent arrears in the amount of \$7356.42.

The decision was made known to the parties at the conclusion of the hearing.

Hal Logsdon
Rental Officer