

IN THE MATTER between **NWT HOUSING CORPORATION**, Applicant, and
TAHTI BAYHA AND PAMELA MENACHO, Respondents;

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, **HAL LOGSDON**, Rental Officer,
regarding the rental premises at **DELINE, NT.**

BETWEEN:

NWT HOUSING CORPORATION

Applicant/Landlord

- and -

TAHTI BAYHA AND PAMELA MENACHO

Respondents/Tenants

ORDER

IT IS HEREBY ORDERED:

1. The application is dismissed.

DATED at the City of Yellowknife, in the Northwest Territories this 2nd day of February,
2012.

Hal Logsdon
Rental Officer

IN THE MATTER between **NWT HOUSING CORPORATION**, Applicant, and
TAHTI BAYHA AND PAMELA MENACHO, 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:

NWT HOUSING CORPORATION

Applicant/Landlord

-and-

TAHTI BAYHA AND PAMELA MENACHO

Respondents/Tenants

REASONS FOR DECISION

Date of the Hearing: January 27, 2012

Place of the Hearing: Yellowknife, NT via teleconference

Appearances at Hearing: Philip Bailey, representing the applicant

Date of Decision: January 27, 2012

REASONS FOR DECISION

This tenancy agreement was terminated on or about March 28, 2007 when the respondents abandoned the premises. The application was not filed until September 15, 2011. The applicant sought leave to extend the time limitation on applications set out in section 68(1) of the *Residential Tenancies Act*.

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.

Although a rental officer may extend this time limitation, it has not been my practice to do so unless there is a compelling reason why the application was not made in a timely manner. In this matter, over four years have passed since the tenants abandoned the premises. It would appear that the applicant knew of the respondents' whereabouts. There is no evidence that the respondents paid any amounts that would lead the applicant to believe that the issue would be resolved without filing an application. The applicant acknowledged that there was no valid reason why the application could not have been made earlier.

For the above reasons, the request for leave to extend the time limitation is denied and the application shall be dismissed.

Hal Logsdon
Rental Officer