

IN THE MATTER between **KATHRYN CARRIERE**, Applicant, and **UNION OF NORTHERN WORKERS**, Respondent;

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

AND IN THE MATTER of a Hearing before, **HAL LOGSDON**, Rental Officer, regarding the rental premises at **YELLOWKNIFE, NT**.

BETWEEN:

KATHRYN CARRIERE

Applicant/Tenant

- and -

UNION OF NORTHERN WORKERS

Respondent/Landlord

ORDER

IT IS HEREBY ORDERED:

1. The application is dismissed.

DATED at the City of Yellowknife, in the Northwest Territories this 1st day of May, 2012.

Hal Logsdon
Rental Officer

IN THE MATTER between **KATHRYN CARRIERE**, Applicant, and **UNION OF NORTHERN WORKERS**, 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 **Hal Logsdon**, Rental Officer.

BETWEEN:

KATHRYN CARRIERE

Applicant/Tenant

-and-

UNION OF NORTHERN WORKERS

Respondent/Landlord

REASONS FOR DECISION

Date of the Hearing: April 18, 2012

Place of the Hearing: Yellowknife, NT

Appearances at Hearing: Kathryn Carriere, applicant
Austin Marshall, representing the respondent

Date of Decision: April 18, 2012

REASONS FOR DECISION

The applicant sought additional relief pursuant to section 30 of the *Residential Tenancies Act* regarding a decision that was made on January 17, 2012 (file #10-12561). The respondent has been ordered to provide access to the rental premises from 52nd Street via a temporary walkway on the west side of the building until the walkway of the east side of the building is repaired. The applicant stated that the respondent has failed to comply with the order. She noted that the order has been appealed but not stayed.

In my opinion, this matter has already been determined and can not be heard again by a rental officer. A rental officer has no jurisdiction to hear the same matter again nor does the rental officer have any jurisdiction to enforce the order. In my opinion the doctrine of *res judicata* applies here and the applicant must apply to the court for further relief or enforcement.

Accordingly, the application is dismissed.

Hal Logsdon
Rental Officer