

IN THE MATTER between **NPR LIMITED PARTNERSHIP**, Applicant, and **MISTIE LEE CLARK**, Respondent;

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 **YELLOWKNIFE, NT**.

BETWEEN:

NPR LIMITED PARTNERSHIP

Applicant/Landlord

- and -

MISTIE LEE CLARK

Respondent/Tenant

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to section 41(4)(a) of the *Residential Tenancies Act*, the respondent shall pay the applicant rent arrears in the amount of two thousand five hundred ninety one dollars and three cents (\$2591.03).
2. Pursuant to sections 41(4)(c) and 83(2) of the *Residential Tenancies Act*, the tenancy agreement between the parties for the premises known as Apartment 310, 492 Range Lake Road, Yellowknife, NT shall be terminated and the respondent shall vacate the premises on,
 - a) July 20, 2012 unless payments of arrears totalling at least one thousand five hundred dollars (\$1500.00) have been received by the applicant, or

- b) on July 31, 2012 unless additional payments of arrears totalling at least six hundred dollars (\$600.00) have been received by the applicant, or
- c) on August 10, 2012 unless the balance of the arrears totalling four hundred ninety one dollars and three cents (\$491.03) has been paid in full.

- 3. Pursuant to section 41(4)(b) of the *Residential Tenancies Act*, the respondent shall pay the monthly rent on time.

DATED at the City of Yellowknife, in the Northwest Territories this 6th day of July,
2012.

Hal Logsdon
Rental Officer

IN THE MATTER between **NPR LIMITED PARTNERSHIP**, Applicant, and **MISTIE LEE CLARK**, 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:

NPR LIMITED PARTNERSHIP

Applicant/Landlord

-and-

MISTIE LEE CLARK

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: July 4, 2012

Place of the Hearing: Yellowknife, NT

Appearances at Hearing: Maigan Lefrancois, representing the applicant
Jason Peterson, representing the respondent

Date of Decision: July 4, 2012

REASONS FOR DECISION

The applicant alleged that the respondent had breached the tenancy agreement by failing to pay rent. The applicant sought an order requiring the respondent to pay the alleged rent arrears and terminating the tenancy agreement and evicting the respondent unless the rent arrears were promptly paid.

The applicant provided a statement of the rent account in evidence which indicated a balance of rent owing of \$2591.03. The monthly rent for the premises is currently \$1200 but will be raised to \$1275 effective August 1, 2012. The applicant holds a security deposit of \$1200.

The respondent's representative did not dispute the allegations and requested that the respondent be permitted to pay the rent arrears in monthly installments until the rent arrears were paid in full. He stated that an accidental injury had prevented the respondent from working for a period of time causing her to fall into arrears. He stated that a payment of \$900 had been approved through the *Income Security Program* for assistance with the July, 2012 rent. The applicant requested that the arrears be paid in full by July 31, 2012.

I find the statement in order and find the respondent in breach of her obligation to pay rent. I find the rent arrears to be \$2591.03. In my opinion, a reasonable schedule of arrears payments is as follows:

July 20/12	\$1500 - resulting in a balance owing of \$1091.03
July 31/12	\$600 - resulting in a balance owing of \$491.03
August 10/12	\$491.03

An order shall issue requiring the respondent to pay the applicant rent arrears of \$2591.03 and terminating the tenancy agreement on any of the above due dates if the required payment has not been made. The respondent shall also be ordered to pay the monthly rent on time.

Eviction orders to be effective on July 23, August 1 and August 11, 2012 if the ordered payments are not made shall be issued separately.

Hal Logsdon
Rental Officer