

IN THE MATTER between **NPR LIMITED PARTNERSHIP**, Applicant, and
DARRIN RADCLIFFE, 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 **INUVIK, NT.**

BETWEEN:

NPR LIMITED PARTNERSHIP

Applicant/Landlord

- and -

DARRIN RADCLIFFE

Respondent/Tenant

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to sections 41(4)(a) and 83(2) of the *Residential Tenancies Act* the respondent shall pay the applicant rent arrears in accordance with the following schedule:
 - a) A payment of one thousand fifty dollars (\$1050.00) to be paid on or before September 7, 2012.
 - b) A payment of one hundred fifty dollars (\$150.00) to be paid on or before October 15, 2012.
 - c) A payment of one hundred fifty dollars (\$150.00) to be paid on or before November 15, 2012.
 - d) A payment of sixty five dollars (\$65.00) to be paid on or before December 15, 2012.

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 12, 20 Tununuk Drive, Inuvik, NT shall be terminated on September 7, 2012 and the respondent shall vacate the premises on that date, unless the payment in 1(a) of this order is made to the applicant.
3. Pursuant to section 41(4)(b) of the *Residential Tenancies Act*, the respondent shall pay future rent on time.

DATED at the City of Yellowknife, in the Northwest Territories this 5th day of September, 2012.

Hal Logsdon
Rental Officer

IN THE MATTER between **NPR LIMITED PARTNERSHIP**, Applicant, and
DARRIN RADCLIFFE, 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-

DARRIN RADCLIFFE

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: August 29, 2012

Place of the Hearing: Inuvik, NT

Appearances at Hearing: Bright Lubansa, representing the applicant
Darrin Radcliffe, respondent

Date of Decision: August 29, 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, terminating the tenancy agreement and evicting the respondent.

The applicant provided a statement of the rent account which indicated a balance of rent and penalties for late rent in the amount of \$1415. The monthly rent for the premises is \$850. The applicant holds a security deposit of \$850.

The respondent did not dispute the allegations. He stated that the *Income Security Program* had approved the payment of the August, 2012 rent of \$850 but for some reason had not forwarded the amount to the landlord. He provided a statement issued by *Income Security* which appeared to indicate that the payment of \$850 had been approved but not forwarded to the landlord. The respondent acknowledged that the remaining arrears were the result of his failure to pay the full amount of rent in May, 2012 and the accrued penalties for late rent.

The respondent stated that he could pay \$1050 by September 7, 2012 and pay the balance in installments of \$150/month. The applicant accepted the proposed payment plan provided that the initial payment was made on or before September 7, 2012 and that the monthly rent was paid on time in the future.

I find the statement in order and find the respondent in breach of his obligation to pay rent. I find the rent arrears to be \$1450. In my opinion, there are sufficient grounds to terminate the tenancy agreement between the parties if the initial payment of \$1050 is not paid on or before September 7, 2012.

An order shall issue requiring the respondent to pay the applicant rent arrears of \$1415 in accordance with the following schedule:

- a) A payment of one thousand fifty dollars (\$1050.00) to be paid on or before September 7, 2012.
- b) A payment of one hundred fifty dollars (\$150.00) to be paid on or before October 15, 2012.
- c) A payment of one hundred fifty dollars (\$150.00) to be paid on or before November 15, 2012.
- d) A payment of sixty five dollars (\$65.00) to be paid on or before December 15, 2012.

The tenancy agreement shall be terminated on September 7, 2012 unless the payment of \$1050 is made on or before that date. An eviction order to be effective on September 10, 2012 unless the \$1050 payment is made on or before September 7, 2012 shall be issued separately. The respondent is also ordered to pay future rent on time.

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

Hal Logsdon
Rental Officer