

IN THE MATTER between **NPR LIMITED PARTNERSHIP**, Applicant, and **TRUDY BEKALE**, 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 -

TRUDY BEKALE

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 and penalties for late rent in the amount of seven thousand eight hundred thirty two dollars and fifty eight cents (\$7832.58). The sum shall be paid in monthly installments of one thousand two hundred sixty five dollars (\$1265.00) due on the last day of every month until the rent arrears are paid in full. The first payment shall be due on August 31, 2013.
2. Pursuant to section 41(4)(c) and 83(2) of the *Residential Tenancies Act*, the tenancy agreement between the parties for the premises known as H215, 900 Lanky Court, Yellowknife, NT shall be terminated on August 31, 2013 and the respondent shall vacate

the premises on that date, unless the August, 2013 rent and the first installment of the rent arrears in the total amount of three thousand dollars (\$3000.00) are paid in full.

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 15th day of August, 2013.

Hal Logsdon
Rental Officer

IN THE MATTER between **NPR LIMITED PARTNERSHIP**, Applicant, and **TRUDY BEKALE**, 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-

TRUDY BEKALE

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: August 14, 2013

Place of the Hearing: Yellowknife, NT

Appearances at Hearing: Connie Diener, representing the applicant
Trudy Bekale, respondent

Date of Decision: August 14, 2013

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. The applicant also sought an eviction order.

The applicant provided a statement of the rent account in evidence which indicated a balance of rent and penalties for late rent in the amount of \$7832.58. The monthly rent for the premises is \$1735 and the applicant holds a security deposit of \$1725.

The respondent did not dispute the allegations. She stated that she would be able to pay the monthly rent plus an additional \$1265/month until the rent arrears were paid in full.

The respondent has not paid any rent since June 28, 2013 and has not paid the full amount of rent in any month since January, 2013. In my opinion, there are sufficient grounds to terminate this tenancy agreement for non-payment of rent. The respondent provided income information at the hearing which, in my opinion, suggests that payment of the rent plus the proposed payments are likely beyond her means. She acknowledged that she really could not afford the apartment but would rely on her family for additional money for other essentials.

I find the statement in order and find rent arrears and penalties for late rent totalling \$7832.58.

In my opinion, the respondent should be given an opportunity to clear these rent arrears but not at the risk of additional financial loss to the landlord. Therefore an order shall issue requiring the respondent to pay the applicant rent arrears of \$7832.58 in monthly installments of \$1265 and to pay the monthly rent on time. The arrears payments shall be due on the last day of every month, the first payment becoming due on August 31, 2013. The tenancy shall be terminated on August 31, 2013 unless the first payment and the August rent, totalling \$3000 is paid in full.

Should the respondent fail to make subsequent arrears payments or fail to pay subsequent rent payments on time, the landlord may file another application seeking the full payment of any remaining balance and termination of the tenancy agreement.

An eviction order to be effective September 1, 2013 unless the \$3000 is paid on or before August 31, 2013 shall be issued separately.

Hal Logsdon
Rental Officer