

IN THE MATTER between **BEHCHOKO KO GHA K'AODEE**, Applicant, and
DARLA MANTLA, 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 **BEHCHOKO, NT.**

BETWEEN:

BEHCHOKO KO GHA K'AODEE

Applicant/Landlord

- and -

DARLA MANTLA

Respondent/Tenant

ORDER

IT IS HEREBY ORDERED:

1. The application is dismissed.

DATED at the City of Yellowknife, in the Northwest Territories this 15th day of
November, 2013.

Hal Logsdon
Rental Officer

IN THE MATTER between **BEHCHOKO KO GHA K'AODEE**, Applicant, and
DARLA MANTLA, 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:

BEHCHOKO KO GHA K'AODEE

Applicant/Landlord

-and-

DARLA MANTLA

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: **October 1, 2013**

Place of the Hearing: Behchoko, NT

Appearances at Hearing: Michael Keohane, representing the applicant
Darla Mantla, respondent

Date of Decision: **October 1, 2013**

REASONS FOR DECISION

The applicant alleged that the respondent had breached the tenancy agreement by failing to pay rent and failing to repair damages to the rental premises. The applicant sought an order requiring the respondent to pay the alleged rent arrears and repair costs. The premises are subsidized public housing.

This tenancy agreement was terminated by order on September 18, 2009. The applicant stated that the respondent vacated the premises in September, 2009. The application was not filed until August 7, 2013.

Section 68 of the *Residential Tenancies Act* sets out a time limitation for the making of an application.

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 the Act permits a rental officer to extend this limitation, it has not been the practice of this tribunal to do so unless there is a valid reason why the application could not have been made in a timely manner.

The applicant argued that because their subsidy agent had failed to calculate the rent for April 2008 to May 2009 based on income information she had received in July, 2009 the rents for those months should now be considered. While it was the case that those months were not

included in the order which resulted from the July, 2009 hearing, the applicant had six months to get the rent calculated and file another application. I see no reason why that could not have been easily done. Leave to extend the time limitation is denied and the application shall be dismissed.

Hal Logsdon
Rental Officer