

IN THE MATTER between **NPR LIMITED PARTNERSHIP**, Applicant, and
BARBARA BRULE, 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 -

BARBARA BRULE

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 and penalties for late rent in the amount of five thousand twenty nine dollars and twenty nine cents (\$5029.29). The arrears shall be paid in the following manner:
 - a) Three thousand six hundred dollars (\$3600.00) shall be paid on or before November 30, 2013 and,
 - b) the remaining arrears shall be paid in monthly installments of six hundred dollars (\$600.00) payable on the last day of every month until the arrears are paid in full. The first payment shall be due on December 31, 2013.

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 111, 490 Range Lake Road, Yellowknife, NT shall be terminated on November 30, 2013 unless the respondent pays the applicant rent arrears in the amount of three thousand six hundred dollars (\$3600.00).
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 8th day of November, 2013.

Hal Logsdon
Rental Officer

IN THE MATTER between **NPR LIMITED PARTNERSHIP**, Applicant, and
BARBARA BRULE, 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-

BARBARA BRULE

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: November 6, 2013

Place of the Hearing: Yellowknife, NT

Appearances at Hearing: Connie Diener, representing the applicant
Sara Thomson, representing the applicant
Barbara Brule, respondent

Date of Decision: November 6, 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 and evicting the respondent. The monthly rent for the premises is \$1435 and the applicant holds a security deposit of \$1095.

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 \$5029.29. Previous orders against the respondent have been satisfied.

The respondent did not dispute the allegations and stated that she had applied for assistance of \$3000 and could pay that plus \$600/month until the arrears were paid. The applicant was satisfied to continue the tenancy provided that schedule of payments was met.

I find the statement in order and find the respondent in breach of her obligation to pay rent. I find the rent arrears and penalties for late rent to be \$5029.29. In my opinion there are sufficient grounds to terminate the tenancy agreement unless at least \$3600 of the rent arrears and penalties for late rent are paid on or before November 30, 2013.

An order shall issue requiring the respondent to pay the applicant rent arrears of \$5029.29 in the following manner:

- a) Three thousand six hundred dollars (\$3600.00) shall be paid on or before November 30, 2013 and,
- b) The remaining arrears shall be paid in monthly installments of six hundred dollars (\$600.00) payable on the last day of every month until the arrears are paid in full.

The first payment shall be due on December 31, 2013.

The order shall terminate the tenancy agreement on November 30, 2013 unless the payment of \$3600 is made on or before that date. The order shall also require the respondent to pay future rent on time.

An eviction order to be effective on December 1, 2013 unless \$3600 of the rent arrears and penalties for late rent are paid on before November 30, 2013 shall be issued separately. Should the respondent fail to pay the monthly rent on time or pay the ordered monthly installments of \$600, the applicant may file another application seeking the lump sum payment of any remaining balance and termination of the tenancy agreement.

Hal Logsdon
Rental Officer