

IN THE MATTER between **NORTHWEST TERRITORIES HOUSING CORPORATION**, Applicant, and **HANS PERNELL JIMMY AND SABRINA RAE CATHERINE SEABORN**, Respondents;

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 **Hay River, NT**.

BETWEEN:

**NORTHWEST TERRITORIES HOUSING CORPORATION**

Applicant/Landlord

- and -

**HANS PERNELL JIMMY AND SABRINA RAE CATHERINE SEABORN**

Respondents/Tenants

**ORDER**

IT IS HEREBY ORDERED:

1. The application is dismissed.

DATED at the City of Yellowknife, in the Northwest Territories this 30th day of September, 2014.

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Hal Logsdon  
Rental Officer

IN THE MATTER between **NORTHWEST TERRITORIES HOUSING CORPORATION**, Applicant, and **HANS PERNELL JIMMY AND SABRINA RAE CATHERINE SEABORN**, Respondents.

AND IN THE MATTER of the **Residential Tenancies Act** R.S.N.W.T. 1988, Chapter R-5 (the "Act");

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BETWEEN:

**NORTHWEST TERRITORIES HOUSING CORPORATION**

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-and-

**HANS PERNELL JIMMY AND SABRINA RAE CATHERINE SEABORN**

Respondents/Tenants

**REASONS FOR DECISION**

**Date of the Hearing:** August 15, 2014

**Place of the Hearing:** Hay River, NT via teleconference

**Appearances at Hearing:** Jessica Carriere, representing the applicant

**Date of Decision:** August 15, 2014

### **REASONS FOR DECISION**

Notices of Attendance were sent to both respondents by registered mail. Only Ms Seaborn's notice was confirmed delivered. Neither respondent appeared at the hearing and the hearing proceeded in their absence.

The applicant stated that the respondents abandoned the rental premises in May, 2012. The application was filed on June 9, 2014 more than two years later. Section 68 of the *Residential Tenancies Act* imposes a time limitation on the making of applications.

**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 if it is not considered unfair to do so, it has been the practice of this tribunal to not extend the limitation unless there is good reason to do so. The applicant stated that the office was short staffed for a period of time which prevented any action from being taken on the matter. In my opinion, this is not sufficient to warrant an extension of the time limitation.

Accordingly, the application is dismissed.

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Hal Logsdon  
Rental Officer