

IN THE MATTER between **NPR Limited Partnership**, Applicant, and **Candace Bradbury**, 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, **Adelle Guigon**, Deputy Rental Officer, regarding a rental premises within **the city of Yellowknife in the Northwest Territories**.

BETWEEN:

NPR LIMITED PARTNERSHIP

Applicant/Landlord

- and -

CANDACE BRADBURY

Respondent/Tenant

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to sections 41(4)(a) and 84(2) of the *Residential Tenancies Act*, the respondent must pay to the applicant rental arrears in the amount of \$3,200.00 (three thousand two hundred dollars) in minimum monthly installments of \$600.00 (six hundred dollars) to be paid by the 15th of each month starting December 15, 2014, until the rental arrears are paid in full.

DATED at the City of Yellowknife in the Northwest Territories this 19th day of December 2014.

Adelle Guigon
Deputy Rental Officer

IN THE MATTER between **NPR Limited Partnership**, Applicant, and **Candace Bradbury**, 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 **Adelle Guigon**, Deputy Rental Officer.

BETWEEN:

NPR LIMITED PARTNERSHIP

Applicant/Landlord

-and-

CANDACE BRADBURY

Respondent/Tenant

REASONS FOR DECISION

<u>Date of the Hearing:</u>	December 10, 2014
<u>Place of the Hearing:</u>	Yellowknife, Northwest Territories
<u>Appearances at Hearing:</u>	Metslal Mesgun, representing the applicant Candace Bradbury, respondent
<u>Date of Decision:</u>	December 10, 2014

REASONS FOR DECISION

An application to a rental officer made by NPR Limited Partnership as the applicant/landlord against Candace Bradbury as the respondent/tenant was filed by the Rental Office November 12, 2014. The application was made regarding a residential tenancy agreement for the rental premises known as 106, 1000 Gitzel Street, in Yellowknife, Northwest Territories. The applicant served a copy of the filed application on the respondent by registered mail signed for November 24, 2014.

The applicant alleged the respondent had accumulated rental arrears and sought an order for payment of rental arrears, termination of the tenancy agreement, and eviction. Evidence submitted is listed in Appendix A attached to this order.

A hearing was scheduled for December 10, 2014, in Yellowknife, Northwest Territories. Ms. Metslal Mesgun appeared representing the applicant. Ms. Candace Bradbury appeared as respondent.

Ms. Mesgun testified Ms. Bradbury has been a tenant residing at the rental premises known as 106, 1000 Gitzel Street, in Yellowknife, Northwest Territories, since July 2013. Ms. Bradbury had carried rental arrears initially during the tenancy, however, she was able to resolve those arrears in February 2014 and maintained a zero balance on her rent account until August 1, 2014. Payments remained regular thereafter, but late and of insufficient amounts to cover the monthly rent of \$1,315. The current rental arrears have accumulated to \$3,200.

Ms. Bradbury acknowledged her rental arrears and did not dispute the amount claimed. She explained that her roommate moved out, leaving her to pay the full amount of the rent, and then she broke her arm and was off work without pay for five weeks. As a result, she was forced to pay her bills by maxing out her credit cards and was not able to cover the full amount of rent. She has now returned to work with the GNWT and has a second job to help resolve her debts. She has also requested a transfer to a one-bedroom apartment, understanding the applicant's policy to not grant transfers unless the rent account is balanced. Ms. Bradbury indicated she was expecting an income tax refund within the next several days which would go primarily to her rental arrears. Based on her current income – notwithstanding the income tax refund – Ms. Bradbury confirmed she could commit to paying at least \$600 on the 15th of each month towards her rental arrears in addition to her monthly rent.

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Ms. Mesgun was receptive to Ms. Bradbury's proposal to incorporate a payment plan into an order for payment of rental arrears. She further acknowledged receipt of Ms. Bradbury's transfer request, and that they had been in open communication regarding the matter at hand. Ms. Mesgun withdrew her request for termination of the tenancy agreement and eviction.

Tenancy agreement

The residential lease entered into evidence by the applicant establishes a residential tenancy agreement entered into between the parties starting July 1, 2013. The parties did not dispute the validity of the lease. I am satisfied a valid tenancy agreement is in place between the parties in accordance with the *Residential Tenancies Act* (the Act).

Rental arrears

The resident ledger entered into evidence by the applicant represents the landlord's accounting of monthly rent and payments received against the respondent's rent account. The respondent did not dispute the accuracy of the resident ledger and acknowledged the rental arrears identified. I am satisfied the resident ledger accurately represents the respondent's rent account. I find the respondent has accumulated rental arrears in the amount of \$3,200. The parties joint submission for the incorporation of a payment plan into an order for payment is reasonable under the circumstances described.

An order will issue requiring Ms. Candace Bradbury to pay rental arrears in the amount of \$3,200 in minimum monthly installments of \$600 to be paid on the 15th of each month starting December 15, 2014, until the rental arrears are paid in full.

Adelle Guigon
Deputy Rental Officer

APPENDIX A

Exhibits

Exhibit 1: Resident ledger dated November 6, 2014

Exhibit 2: Residential lease signed June 28, 2013

Exhibit 3: Applicant's notice to terminate tenancy correspondences to respondent dated:
February 11, 2014; April 10, 2014; June 3, 2014; July 7, 2014; August 12, 2014

Exhibit 4: Applicant's 10 day notice of early termination regarding 401 Bison Hill Apartments
correspondences to respondent dated: June 7, 2012; July 12, 2012; August 9, 2012;
September 11, 2012; October 10, 2012; March 7, 2013; April 10, 2013

Exhibit 5: Resident ledger dated December 10, 2014