

IN THE MATTER between **FORT RESOLUTION HOUSING AUTHORITY**,
Applicant, and **CHERYL LAFFERTY AND MELVIN MANDEVILLE**, 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 **FORT RESOLUTION, NT**.

BETWEEN:

FORT RESOLUTION HOUSING AUTHORITY

Applicant/Landlord

- and -

CHERYL LAFFERTY AND MELVIN MANDEVILLE

Respondents/Tenants

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to section 41(4)(a) of the *Residential Tenancies Act*, the respondents shall pay the applicant rent arrears in the amount of three hundred forty five dollars (\$345.00).
2. Pursuant to section 41(4)(b) of the *Residential Tenancies Act*, the respondents shall pay future rent on time.
3. Pursuant to section 41(4)(a) of the *Residential Tenancies Act*, the respondent Cheryl Lafferty shall pay the applicant rent arrears in the amount of twelve thousand seven

hundred twenty six dollars (\$12,726.00).

DATED at the City of Yellowknife, in the Northwest Territories this 13th day of
February, 2015.

Hal Logsdon
Rental Officer

IN THE MATTER between **FORT RESOLUTION HOUSING AUTHORITY**,
Applicant, and **CHERYL LAFFERTY AND MELVIN MANDEVILLE**, Respondents.

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:

FORT RESOLUTION HOUSING AUTHORITY

Applicant/Landlord

-and-

CHERYL LAFFERTY AND MELVIN MANDEVILLE

Respondents/Tenants

REASONS FOR DECISION

Date of the Hearing: February 3, 2015

Place of the Hearing: Yellowknife, NT via teleconference

Appearances at Hearing: Elizabeth-Ann McKay, representing the applicant
Melvin Mandeville, respondent

Date of Decision: February 3, 2015

REASONS FOR DECISION

The applicant testified that Cheryl Lafferty was the sole tenant of house #133 until October 1, 2013 when a new tenancy agreement for the premises was executed with Ms. Lafferty and Mr. Mandeville as joint tenants. The applicant alleged that Ms. Lafferty did not pay the full amount of the rent during the period she was the sole tenant and sought an order requiring Ms. Lafferty to pay the alleged rent arrears.

Ms. Lafferty was served with a Notice of Attendance sent by registered mail and confirmed delivered but she did not appear at the hearing. Mr. Mandeville appeared on her behalf.

The applicant provided a statement in evidence which indicated a balance on Ms. Lafferty's account of \$12,726. As these rent arrears accrued more than six months before the application was made on December 4, 2014 leave to extend the time limitation on applications contained in section 68(3) of the *Residential Tenancies Act* must be granted to the applicant. I note that Ms. Lafferty has been making payments since the tenancy agreement was terminated and that she acknowledged the debt and entered into an agreement to repay it in April, 2014. She is currently somewhat behind in her payments but in my opinion, the applicant had reasonable grounds to believe that the debt would be satisfied without resort to legal action. Therefore leave to extend the time limitation on applications is granted.

Mr. Mandeville did not dispute the amount alleged owed by Ms. Lafferty. I find the ledger in

order and find the amount owing to be \$12,726. An order shall issue requiring Ms. Lafferty to pay the applicant that amount.

The applicant provided a statement of account for the current joint tenancy agreement which indicated a balance owing of \$1545. The full unsubsidized rent of \$1545 had been applied for the month of February, 2015. However, the respondent provided the required income information at the hearing and the applicant adjusted the February rent to \$345 resulting in a current balance of \$345. The applicant withdrew their request to terminate the tenancy agreement in favour of an order to pay future rent on time.

The respondent did not dispute the balance. I find the respondents in breach of their obligation to pay rent and find the rent arrears to be \$345. An order shall issue requiring the respondents to pay the applicant rent arrears of \$345 and to pay the monthly rent on time in the future.

Hal Logsdon
Rental Officer