

IN THE MATTER between **NWT Housing Corporation**, Applicant, and **Sheena Kochon**, 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, regarding a rental premises located within the **community of Colville Lake in the Northwest Territories**.

BETWEEN:

NWT HOUSING CORPORATION

Applicant/Landlord

- and -

SHEENA KOCHON

Respondent/Tenant

ORDER

IT IS HEREBY ORDERED:

1. The application is dismissed.

DATED at the City of Yellowknife in the Northwest Territories this 10th day of March 2015.

Adelle Guigon
Deputy Rental Officer

IN THE MATTER between **NWT Housing Corporation**, Applicant, and **Sheena Kochon**, Respondent.

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BETWEEN:

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REASONS FOR DECISION

<u>Date of the Hearing:</u>	March 3, 2015
<u>Place of the Hearing:</u>	Yellowknife, Northwest Territories, by teleconference
<u>Appearances at Hearing:</u>	Loretta Wiley, representing the applicant Sheena Kochon, respondent
<u>Date of Decision:</u>	March 3, 2015

REASONS FOR DECISION

An application to a rental officer made by NWT Housing Corporation as the applicant/landlord against Sheena Kochon as the respondent/tenant was filed by the Rental Office October 22, 2014. The application was made regarding a subsidized public housing residential tenancy agreement for the rental premise known as Map Code C-7, Sketch SK-49, in Colville Lake, Northwest Territories. The applicant served a copy of the filed application on the respondent by registered mail deemed served November 6, 2014, pursuant to section 71(5) of the *Residential Tenancies Act* (the Act).

The applicant alleged the respondent had accumulated rental arrears from a former tenancy and requested an order for payment.

A hearing was scheduled for March 3, 2015, by teleconference. Ms. Loretta Wiley appeared representing the applicant. Ms. Sheena Kochon appeared as respondent.

The residential tenancy agreement for which this application was made ended in February 2013. Section 68(1) of the Act specifies an application to a rental officer must be made within six months after the breach of an obligation arose. Section 68(3) of the Act permits a rental officer to extend the time for the making of an application where the rental officer is of the opinion that it would not be unfair to do so. When asked at hearing why it took the applicant two years and eight months to make an application, Ms. Wiley's reply was that the applicant was understaffed. It was confirmed at hearing that no written communication had been effected between the applicant and respondent since prior to the end of the tenancy, and that verbal communication had only been started again in October 2014.

I did not find the reasons for the delayed application to be satisfactory and in my opinion it would be unfair to grant an extension to the time for making this application. As such, the application is dismissed.

Adelle Guigon
Deputy Rental Officer