

IN THE MATTER between **NPR Limited Partnership**, Applicant, and **Stephanie Mantla**, 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 **city of Yellowknife in the Northwest Territories**.

BETWEEN:

NPR LIMITED PARTNERSHIP

Applicant/Landlord

- and -

STEPHANIE MANTLA

Respondent/Tenant

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to section 41(4)(a) of the *Residential Tenancies Act*, the respondent must pay to the applicant rental arrears in the amount of \$2,965.14 (two thousand nine hundred sixty-five dollars fourteen cents).
2. Pursuant to section 41(4)(b) of the *Residential Tenancies Act*, the respondent must pay her future rent on time.

3. Pursuant to sections 41(4)(c) and 83(2) of the *Residential Tenancies Act*, the tenancy agreement between the parties for the rental premises known as 1429 Gitzel Street in Yellowknife, Northwest Territories, will terminate July 31, 2015, and the respondent must vacate the rental premises on or before that date unless the rental arrears are paid in full and the rents for June and July 2015 are paid on time.

DATED at the City of Yellowknife in the Northwest Territories this 21st day of April 2015.

Adelle Guigon
Deputy Rental Officer

IN THE MATTER between **NPR Limited Partnership**, Applicant, and **Stephanie Mantla**, 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-

STEPHANIE MANTLA

Respondent/Tenant

REASONS FOR DECISION

<u>Date of the Hearing:</u>	April 16, 2015
<u>Place of the Hearing:</u>	Yellowknife, Northwest Territories
<u>Appearances at Hearing:</u>	Metslal Mesgun, representing the applicant Stephanie Mantla, respondent
<u>Date of Decision:</u>	April 16, 2015

REASONS FOR DECISION

An application to a rental officer made by NPR Limited Partnership as the applicant/landlord against Stephanie Mantla as the respondent/tenant was filed by the Rental Office February 27, 2015. The application was made regarding a residential tenancy agreement for the rental premises known as 1429 Gitzel Street in Yellowknife, Northwest Territories. The applicant served a copy of the filed application by email deemed received March 2, 2015, pursuant to section 4(4) of the *Residential Tenancies Regulations* (the Regulations).

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 April 15, 2015, in Yellowknife, Northwest Territories. The hearing was adjourned by mutual consent to April 16, 2015. Ms. Metslal Mesgun appeared representing the applicant. Ms. Stephanie Mantla appeared as respondent.

The parties agreed that a tenancy agreement was in place between them for the rental premises known as 1429 Gitzel Street in Yellowknife, Northwest Territories. The tenancy began November 1, 2013, as a fixed-term tenancy which automatically renewed as a monthly tenancy effective November 1, 2014. The monthly rent was agreed to at \$1,960 payable the first of each month.

The resident ledger entered into evidence by the applicant represents the landlord's accounting of monthly rent, late payment penalties, and payments received against the respondent's rent account. The respondent did not dispute the accuracy of this ledger and acknowledged her current rental arrears in the amount of \$2,965.14. The ledger reflects a repeated pattern of failing to pay the full amount of rent when it is due throughout the tenancy. Much, but not all, of the respondent's rent payments have been made by Income Assistance. It appears the shortfalls have occurred from the periods that Income Assistance has not paid the full amount of the rent. The respondent acknowledged this misunderstanding on her part of the responsibility to ensure the full amount of rent was being paid each month.

The respondent testified that she has been taking classes at Aurora College and working occasional casual jobs when she can to supplement her income. Her final exams are nearly complete and she anticipates that as of May 4th she will be available to work full time and earn sufficient income to resolve her rent account. The respondent confirmed she does have viable employment options and expects to be working. She is also prepared to make concessions to have a roommate to assist with the monthly rent and with caring for her children. The respondent advised she expects her rent for May will be late, but the rents for June onward will be paid on time. She further expects to have her rental arrears resolved in full by the end of July.

The applicant requested an order for payment of the rental arrears and that future rent be paid on time. Due to the significant amount of rental arrears and the pattern of behaviour respecting late payments, the applicant requested an order for termination of the tenancy agreement but was not opposed to a conditional termination order dependent on payment in full of the rental arrears and monthly rent paid on time.

I am satisfied that a valid tenancy agreement is in place between the parties in accordance with the *Residential Tenancies Act* (the Act). I am satisfied that the resident ledger entered into evidence accurately represents the respondent's rent account. I am satisfied that the respondent has been repeatedly late paying her rent and that she has accumulated rental arrears in the amount of \$2,965.14.

I am satisfied termination of the tenancy agreement is justified in light of the substantial amount of rental arrears and the repeated pattern of late rent payments. However, in light of the respondent's efforts at self-improvement and her stated employment prospects and plans for resolving her arrears, I am satisfied a conditional termination order is warranted. I am not satisfied an eviction order is justified at this time.

An order will issue requiring Ms. Stephanie Mantla to pay rental arrears in the amount of \$2,965.14, to pay her rent on time in the future, and terminating her tenancy agreement on July 31, 2015, unless the rental arrears are paid in full and the rents for June and July are paid on time.

Adelle Guigon
Deputy Rental Officer

APPENDIX A

Exhibits

Exhibit 1: Resident ledger dated February 25, 2015

Exhibit 2: Applicant's notice to terminate tenancy correspondences to respondent dated:
February 9, 2015; January 9, 2015; October 9, 2014; September 8, 2014; August 12,
2014; June 3, 2014

Exhibit 3: Email from Metslal Mesgun to lmantla@hotmail.com dated February 17, 2015

Exhibit 4: Email conversation between Metslal Mesgun and Lisa Mantla dated February 3, 2015

Exhibit 5: Email from Metslal Mesgun to lmantla@hotmail.com dated February 10, 2015

Exhibit 6: Email from Metslal Mesgun to lmantla@hotmail.com dated December 18, 2014

Exhibit 7: Residential Lease signed October 11, 2013

Exhibit 8: Resident ledger dated April 16, 2015