

IN THE MATTER between **Sonya Rey**, Applicant, and **NPR Ltd. Partnership**,
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:

SONYA REY

Applicant/Tenant

- and -

NPR LTD. PARTNERSHIP

Respondent/Landlord

ORDER

IT IS HEREBY ORDERED:

1. The application is dismissed.

DATED at the City of Yellowknife in the Northwest Territories this 5th day of May 2015.

Adelle Guigon
Deputy Rental Officer

IN THE MATTER between **Sonya Rey**, Applicant, and **NPR Ltd. Partnership**,
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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:

SONYA REY

Applicant/Tenant

-and-

NPR LTD. PARTNERSHIP

Respondent/Landlord

REASONS FOR DECISION

<u>Date of the Hearing:</u>	February 18, 2015
<u>Place of the Hearing:</u>	Yellowknife, Northwest Territories
<u>Appearances at Hearing:</u>	Sonya Rey, applicant Trevor Glavich, support worker for applicant Metslal Mesgun, representing the respondent
<u>Date of Decision:</u>	April 7, 2015

REASONS FOR DECISION

An application to a rental officer made by Sonya Rey as the applicant/tenant against NPR Ltd. Partnership as the respondent/landlord was filed by the Rental Office January 29, 2015. The application was made regarding a residential tenancy agreement for the rental premises known as #205, 5465 - 52 Street, in Yellowknife, Northwest Territories. The applicant personally served a copy of the filed application on the respondent January 29, 2015.

The applicant alleged the respondent had failed to effect repairs to the rental premises in accordance with the *Residential Tenancies Act* (the Act) and requested an order for the necessary repairs to be effected. Evidence submitted is listed in Appendix A attached to this order.

A hearing was scheduled for Wednesday, February 18, 2015, in Yellowknife, Northwest Territories. Ms. Sonya Rey appeared as applicant with her support worker, Mr. Trevor Glavich. Ms. Metslal Mesgun appeared representing the respondent.

Ms. Rey complained of delays in effecting repairs to the rental premises for which the landlord was responsible. The required repairs included: repairing a burst glycol pipe, cleaning up the mess from the leak, repairing the damages to the wall and carpet from the leak, repairing kitchen and bathroom faucets, and replacing the toilet. Ms. Mesgun did not dispute that these repairs were required or that they were the landlord's responsibility, but did provide evidence suggesting that several attempts to effect the repairs in a timely manner were delayed by Ms. Rey's refusal to permit entry to the maintenance officers on several pre-arranged days.

The original damage was reported January 9, 2015. The leak was repaired that same day. The damages resulting from the leak (the wall and carpet) were repaired by February 11th, except for replacement of the baseboards. Rental Officer Hal Logsdon conducted an inspection of the premises on February 12th at Ms. Rey's request and confirmed the apartment was in generally good condition except for the quality of the wall repairs, which were described as falling short of restoring the wall area to its original condition.

At hearing, Ms. Rey complained that the carpet still smelled of glycol and the baseboards had not been repaired. She further complained that the new toilet was too big and the toilet seat would not stay up.

I determined at hearing that contributing factors to the dispute were a failure to effectively communicate between the parties respecting times and dates maintenance workers could enter the premises to effect repairs. Mr. Glavich agreed to facilitate communication on Ms. Rey's behalf in order to ensure adequate access was given to effect the remaining repairs. The hearing was adjourned *sine die* pending confirmation of completion of repairs to the baseboards, toilet, and carpet. I directed that if no confirmation of completion of the work was received by March 20, 2015, I would contact the parties to follow-up and a hearing would be rescheduled if necessary.

On March 12, 2015, Mr. Logsdon again attended Ms. Rey's apartment and conducted an inspection confirming that the walls, baseboards, and carpets had all been adequately repaired with good workmanship. He identified no issues with the toilet other than confirming the toilet seat was loose and does not stay up. Mr. Logsdon contacted Ms. Mesgun regarding the loose toilet seat. After some further mis-communication regarding scheduling a time to enter, Ms. Mesgun confirmed that the toilet seat was repaired by April 6, 2015.

I am satisfied that the matters for which the application to a rental officer was made have been adequately addressed by the landlord in accordance with the Act, and having received confirmation that all repairs have been effected and no order is necessary, the application is dismissed.

Adelle Guigon
Deputy Rental Officer

APPENDIX A

Exhibits

Exhibit 1: Case note reports dated: January 20, 2015; January 28, 2015; January 9, 2015;
January 16, 2015

Exhibit 2: Set of 13 photographs

Exhibit 3: Inspection report of Hal Logsdon dated February 12, 2015

Exhibit 4: Respondents summary of call history from January 9 to February 13, 2015, including
related emails and maintenance reports

Exhibit 5: Email to rental officer from Metslal Mesgun dated April 6, 2015