

IN THE MATTER between **Laurie Stewart**, Applicant, and **Tyrone McClean**,  
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:

**LAURIE STEWART**

Applicant/Landlord

- and -

**TYRONE MCCLEAN**

Respondent/Tenant

**ORDER**

IT IS HEREBY ORDERED:

1. Pursuant to section 41(4)(b) of the *Residential Tenancies Act*, the respondent must pay his rent on time in the future.

DATED at the City of Yellowknife in the Northwest Territories this 27th day of May  
2015.

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Adelle Guigon  
Deputy Rental Officer

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-and-

**TYRONE MCCLEAN**

Respondent/Tenant

**REASONS FOR DECISION**

<b><u>Date of the Hearing:</u></b>	<b>May 6, 2015</b>
<b><u>Place of the Hearing:</u></b>	<b>Yellowknife, Northwest Territories</b>
<b><u>Appearances at Hearing:</u></b>	<b>Laurie Stewart, applicant Tyrone McClean, respondent</b>
<b><u>Date of Decision:</u></b>	<b>May 6, 2015</b>

**REASONS FOR DECISION**

An application to a rental officer made by Laurie Stewart as the applicant/landlord against Tyrone McClean as the respondent/tenant was filed by the Rental Office April 2, 2015. The application was made regarding a residential tenancy agreement for the rental premises known as #4, 123 Haener Drive, in Yellowknife, Northwest Territories. The applicant personally served a copy of the filed application on the respondent April 2, 2015.

The applicant alleged the respondent had been repeatedly late paying the full amount of rent when it is due and requested 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 May 6, 2015, in Yellowknife, Northwest Territories. Mr. Laurie Stewart appeared as applicant. Mr. Tyrone McClean appeared as respondent.

The parties agreed that they had entered into a tenancy agreement for bedroom number 4 at the rental premises known as 123 Haener Drive in Yellowknife, Northwest Territories. The tenancy commenced November 28, 2014, and the monthly rent was agreed to at \$1,175 due the first of each month.

Mr. Stewart testified that at the beginning of the tenancy Mr. McClean had been paying his rent on time, but after a couple of months the rent was not getting paid until four or five days after it was due. Repeated appeals to Mr. McClean to pay the rent on time were unsuccessful. Mr. McClean has paid his rent and currently carries no rental arrears, but he continues to be late paying the rent. Mr. Stewart withdrew his request to terminate the tenancy and evict Mr. McClean, stating he did not wish to make Mr. McClean move out but he required Mr. McClean to pay his rent on time.

When queried why Mr. McClean started paying his rent late, he replied that he had been having bad luck lately and he had a bad memory, usually forgetting that the rent was due. He acknowledged he has been repeatedly late paying his rent for several months. While this tribunal could do nothing about Mr. McClean's bad luck, it was pointed out that Mr. McClean could set himself reminders on his iPhone's calendar to pay his rent in advance of the first of each month. Mr. McClean did not know how to use this feature on his phone, but agreed it was a good idea and would seek help from friends to learn how to use the calendar reminder.

I am satisfied a valid tenancy agreement is in place between the parties in accordance with the *Residential Tenancies Act*. I am satisfied the respondent has repeatedly failed to pay his rent on time. An order will issue requiring Mr. Tyrone McClean to pay his rent on time in the future.

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Adelle Guigon  
Deputy Rental Officer

APPENDIX A

Exhibits

Exhibit 1: Tenancy agreement dated November 18, 2014