

IN THE MATTER between **ULUKHAKTOK HOUSING ASSOCIATION**, Applicant,
and **SHAWN ALANAK**, Respondent;

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 **ULUKHAKTOK, NT.**

BETWEEN:

ULUKHAKTOK HOUSING ASSOCIATION

Applicant/Landlord

- and -

SHAWN ALANAK

Respondent/Tenant

ORDER

IT IS HEREBY ORDERED:

1. The application is dismissed.

DATED at the City of Yellowknife, in the Northwest Territories this 3rd day of
September, 2015.

Hal Logsdon
Rental Officer

IN THE MATTER between **ULUKHAKTOK HOUSING ASSOCIATION**, Applicant,
and **SHAWN ALANAK**, 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 **Hal Logsdon**, Rental Officer.

BETWEEN:

ULUKHAKTOK HOUSING ASSOCIATION

Applicant/Landlord

-and-

SHAWN ALANAK

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: **July 29, 2015**

Place of the Hearing: **Ulukhaktok, NT**

Appearances at Hearing: **Sadie Joss, representing the applicant**
 Sheila Nasogaluak, representing the applicant

Date of Decision: **July 29, 2015**

REASONS FOR DECISION

The respondent was served with a Notice of Attendance but failed to appear at the hearing. The hearing was held in his absence.

The applicant stated that the respondent had abandoned the premises on October 21, 2014. The applicant alleged that the respondent had failed to repair damages to the rental premises and sought an order requiring the respondent to pay the cost of repairs.

The application was dated February 20, 2015 but was not received at the rental office until May 22, 2015. The application was filed on May 26, 2015.

The time limitation for the filing of applications is set out in section 68(1) of the *Residential Tenancies Act*.

68. (1) An application by a landlord or a tenant to a rental officer must be made within six months after the breach of an obligation under this Act or the tenancy agreement or the situation referred to in the application arose.

Although a rental officer may grant leave to extend the time limitation for the making of an application, in my opinion it is not justified in this matter.

The work orders and invoices provided in evidence with the application indicate that all of the repairs were completed and an invoice provided to the respondent by February 13, 2015. The application was completed and ready to be filed on February 20, 2015. It appears that the

application was not mailed until several months later, and received by the rental office on May 22, 2015. There was no indication that the application was delayed in the mail.

In my opinion, this application could have easily been filed within the time limitation and there is no justification to grant leave to extend that limitation. Accordingly, the application is dismissed.

Hal Logsdon
Rental Officer