

IN THE MATTER between **NPR LIMITED PARTNERSHIP**, Applicant, and **TRACY WOODS**, Respondent;

AND IN THE MATTER of the **Residential Tenancies Act** R.S.N.W.T. 1988, Chapter R-5 (the "Act") as amended;

AND IN THE MATTER of a Hearing before, **HAL LOGSDON**, Rental Officer, regarding the rental premises at **YELLOWKNIFE, NT**.

BETWEEN:

NPR LIMITED PARTNERSHIP

Applicant/Landlord

- and -

TRACY WOODS

Respondent/Tenant

ORDER AND EVICTION ORDER

IT IS HEREBY ORDERED:

1. Pursuant to section 41(4)(a) of the *Residential Tenancies Act*, the respondent shall pay the applicant rent arrears in the amount of three thousand seven hundred twenty four dollars and nineteen cents (\$3724.19).
2. Pursuant to sections 41(4)(c) and 83(2) of the *Residential Tenancies Act*, the tenancy agreement between the parties for the premises known as Apartment 306, 5001 - 52 Avenue, Yellowknife, NT shall be terminated on October 31, 2015 and the respondent shall vacate the premises on that date unless the rent arrears of three thousand seven hundred twenty four dollars and nineteen cents (\$3724.19) are paid in full.

3. Pursuant to sections 63(4)(a) and 83(2) of the *Residential Tenancies Act*, the respondent shall be evicted from the premises known as Apartment 306, 5001 - 52 Avenue, Yellowknife, NT on November 1, 2015 unless the rent arrears of three thousand seven hundred twenty four dollars and nineteen cents (\$3724.19) are paid in full on or before October 31, 2015.

DATED at the City of Yellowknife, in the Northwest Territories this 14th day of October, 2015.

Hal Logsdon
Rental Officer

IN THE MATTER between **NPR LIMITED PARTNERSHIP**, Applicant, and **TRACY WOODS**, 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:

NPR LIMITED PARTNERSHIP

Applicant/Landlord

-and-

TRACY WOODS

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: **October 7, 2015**

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

Appearances at Hearing: **Aya Burshan, representing the applicant**
 Tracy Woods, respondent

Date of Decision: **October 7, 2015**

REASONS FOR DECISION

The applicant alleged that the respondent had breached the tenancy agreement by failing to pay rent and sought an order requiring the respondent to pay the alleged rent arrears and terminating the tenancy agreement and evicting the respondent.

The applicant also alleged that the respondent had breached the tenancy agreement by permitting a person to enter the premises who was prohibited from entry. This allegation was not contained in the application nor had the application been amended or any evidence filed or provided to the respondent. Therefore, I declined to hear or consider this allegation at the hearing.

The applicant provided a statement of account in evidence which indicated a balance owing of \$3804.19. Included in that amount was a charge of \$152.50 for a lock change made at the request of the respondent. The applicant sought relief in this amount.

The respondent did not dispute the allegations and stated that she received assistance for the rent through the *Income Security Program*. She stated that she had been informed that her application for assistance for the August, 2015 rent had been declined but that assistance for the September rent had been processed and was in transit to the landlord. The applicant stated that she did not agree with the decision to decline the August assistance and would be appealing the decision.

A previous order (file #10-14663, filed on May 28, 2015) required the respondent to pay rent

arrears of \$941.69. Since that order was issued, the rents for June, July, August, September and October totalling \$6575 have come due, a charge of \$152.50 was charged for a lock change and three payments of rent totalling \$3945 were made bringing the balance owing to \$3724.19. This amount differs from the applicant's statement because an undocumented charge of \$80 is still included on the landlord's statement but was denied by the rental officer at the previous hearing.

Previous order	\$941.69
Rent accrued since previous order	6575.00
Lock change charges	152.50
Payments made since previous order	<u>(3945.00)</u>
Total	\$3724.19

I find the respondent in breach of her obligation to pay rent and find rent arrears of \$3724.19. In my opinion there are sufficient grounds to terminate the tenancy agreement and evict the respondent unless the arrears are paid promptly.

An order shall issue requiring the respondent to pay the applicant rent arrears in the amount of \$3724.19 and terminating the tenancy agreement on October 31, 2015 unless the rent arrears are paid in full. An eviction order to be effective on November 1, 2015 unless rent arrears of \$3724.19 are paid on or before October 31, 2015 shall also be issued.

Hal Logsdon
Rental Officer