

IN THE MATTER between **NPR Limited Partnership**, Applicant, and **Ryan Buckle and Roxanna Zoe**, Respondents;

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 -

RYAN BUCKLE and ROXANNA ZOE

Respondents/Tenants

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to section 41(4)(a) of the *Residential Tenancies Act*, the respondents must pay to the applicant rental arrears in the amount of \$1,022.00 (one thousand twenty-two dollars).
2. Pursuant to section 41(4)(b) of the *Residential Tenancies Act*, the respondents must pay their rent on time in the future.

3. Pursuant to sections 41(4)(c) and 83(2) of the *Residential Tenancies Act*, the tenancy agreement between the parties will terminate April 30, 2016, and the respondents must vacate the rental premises on or before that date, unless the rental arrears are paid in full and the monthly rents for February, March, and April 2016, are paid on time.

DATED at the City of Yellowknife in the Northwest Territories this 20th day of January 2016.

Adelle Guigon
Deputy Rental Officer

IN THE MATTER between **NPR Limited Partnership**, Applicant, and **Ryan Buckle and Roxanna Zoe**, Respondents.

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-

RYAN BUCKLE and ROXANNA ZOE

Respondents/Tenants

REASONS FOR DECISION

<u>Date of the Hearing:</u>	January 14, 2016
<u>Place of the Hearing:</u>	Yellowknife, Northwest Territories
<u>Appearances at Hearing:</u>	Metslal Mesgun, representing the applicant
<u>Date of Decision:</u>	January 14, 2016

REASONS FOR DECISION

An application to a rental officer made by NPR Limited Partnership as the applicant/landlord against Ryan Buckle and Roxanna Zoe as the respondents/tenants was filed by the Rental Office December 1, 2015. The application was made regarding a residential tenancy agreement for the rental premises known as #102, 32 Con Road, in Yellowknife, Northwest Territories. The applicant personal served a copy of the filed application on the respondents December 2, 2015.

The applicant alleged the respondents had accumulated rental arrears and have been repeatedly late paying their rent. An order was sought for payment of the 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 January 14, 2016, in Yellowknife, Northwest Territories. Ms. Metslal Mesgun appeared representing the applicant. Mr. Ryan Buckle and Ms. Roxanna Zoe were served notices of attendance by registered mail deemed served December 24, 2015, pursuant to section 71(5) of the *Residential Tenancies Act* (the Act). Neither Mr. Buckle nor Ms. Zoe appeared at hearing, nor did anyone appear on their behalf. The hearing proceeded in their absence pursuant to section 80(2) of the Act.

Rental arrears

The resident ledger entered into evidence by the applicant represents the landlord's accounting of monthly rent, late payment penalties, and payments made against the respondent's rent account. I am satisfied the resident ledger accurately represents the current status of the respondent's rent account.

I am satisfied upon review of the late payment penalties applied that they have been calculated in accordance with the *Residential Tenancies Regulations* (the Regulations). The resident ledger supports the landlord's allegation that the respondents have been repeatedly late paying their rent on time throughout their tenancy. The last zero balance recorded on the account was made September 21, 2015. Since filing the application to a rental officer, the rental arrears have been reduced from \$4,368 to \$1,022, the last payment received from the respondents being recorded January 6, 2016, in the amount of \$2,400. I find the respondents have been repeatedly late paying their rent on time and have accumulated rental arrears in the amount of \$1,022.

Termination of the tenancy agreement and eviction

In light of the respondent's efforts to resolve their arrears, the applicant's representative withdrew the applicant's request for an eviction order, asking instead for a conditional termination order. I am satisfied the respondents' historical pattern of behaviour justifies termination of the tenancy agreement, but I am in agreement with the applicant that a conditional termination order is appropriate under the circumstances.

Order

An order will issue requiring Mr. Ryan Buckle and Ms. Roxanna Zoe to pay rental arrears in the amount of \$1,022; to pay their rent on time in the future; and terminating their tenancy agreement on April 30, 2016, unless the rental arrears are paid in full and the monthly rents for February, March, and April 2016 are paid on time.

Adelle Guigon
Deputy Rental Officer

APPENDIX A

Exhibits

Exhibit 1: Resident ledger dated November 30, 2015

Exhibit 2: Applicant's notices to respondents dated: November 4, 2015; October 8, 2015;
September 11, 2015; March 23, 2015; February 9, 2015; December 8, 2014;
November 12, 2014; September 8, 2014;

Exhibit 3: Residential lease signed May 18, 2014

Exhibit 4: Resident ledger dated January 13, 2016