

MEMBER STATEMENT—JULIE GREEN, MLA YELLOWKNIFE CENTRE
ADDRESSING RENTAL OFFICE DELAYS

October 29, 2018

MS. GREEN: Thank you, Mr. Speaker. Mr. Speaker, the Rental Officer has had some success reducing wait times for hearings to resolve disputes between landlords and tenants. However, the delay between the hearing and the written decision continues with significant financial consequences for landlords, especially for landlords who are renting a small number of units or who are subletting.

A constituent was in touch to relate her experiences. She was renting out her primary residence and a dispute arose about the non-payment of the rent and damage to her property. She applied for a hearing on March 15th and waited three months until the end of June for that hearing. During that time, the backlog of unpaid rent and damages added up to \$13,000, which is big money by anyone's standards.

Mr. Speaker, desperate to recover her losses, my constituent went to the rental office on July 27th to ask for her written order so she could start the garnishee process. According to the rental office report tabled earlier in this sitting, wait times for written orders have been steadily increasing, with half of them taking up to three months. My constituent received her order in two months, but the numbers it contained were wrong. She was told the remedy was to apply for an amendment to her order, requiring a new hearing, likely in October, followed by another two-month wait for a written decision. She is going to end up waiting nine months to begin the garnishee process. Of course, the longer she waits, the less likely she is to collect any money.

Mr. Speaker, the rental office has suggested a remedy. Written orders are mandatory in the Northwest Territories, but in six provinces, there is no requirement for written orders. It is at the discretion of the Rental Officer to issue a verbal order or at the request of one of the parties. The rental officer says, "The requirement to write all reasons for a decision is a major contributing factor to the elapsed time between the hearing date and the date the order and reasons for decision are written."

Mr. Speaker it is time to amend the Residential Tenancies Act to give the Rental Officer discretion about whether to produce written decisions and to give landlords like my constituent hope for a quicker resolution to the hardship imposed by the non-payment of rent. I will have questions for the Minister of Justice. Mahsi.