

MLA JULIE GREEN – YELLOWKNIFE CENTRE – IN THE MEDIA

Can't pay rent because of COVID-19? N.W.T. government will let you pay later

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Link: <https://www.cbc.ca/news/canada/north/rent-deferment-nwt-1.5530896>

More financial support is needed for tenants and landlords to bounce back from pandemic, MLA adds

Residential tenants in the Northwest Territories who are unable to pay their rent because of the economic fallout from the COVID-19 pandemic will now be able to defer their payments until a later date — without risking eviction.

Two members of the Northwest Territories Legislature described the new rules on social media over the weekend. They said the temporary new regulations would protect tenants during the pandemic.

Frame Lake MLA Kevin O'Reilly posted screenshots of documents, including a regulation signed by N.W.T. Commissioner Margaret Thom dated April 9, on his Facebook page Saturday. He called the new protections "better late than never."

According to the documents, tenants who have confirmed to the landlord that they cannot pay, cannot be evicted for non-payment. Tenants who cannot pay are also protected from eviction over several other issues. For example, a landlord who wants to sell the property or rent it out to a family member would usually be able to evict a tenant to do so, but would not be able to evict a tenant who was currently deferring rent.

On Monday, the territorial government confirmed the new regulations.

"The Residential Tenancies (COVID-19) Regulations is new and was registered on April 9, 2020. It also came into force that day," stated a spokesperson in an email to CBC.

"The new regulation sets out a process for a tenant to follow if they are not able to pay their rent due to COVID-19 related job loss or significant reduction of income."

To defer rent, a tenant who has lost a job or major income must simply contact their landlord in writing, and state in an email or letter why they can't pay.

The landlord may also ask the tenant for proof of being short on income. If the landlord does not believe the tenant, the landlord can bring the issue to a Northwest Territories rental officer who will look at both sides.

Landlords do, however, have some recourse.

Landlords may evict tenants for damaging property without fixing it, or threatening someone's safety. Tenants who have been given orders from the rental office to fix earlier behaviours, and haven't followed those orders, could also be kicked out.

Cover back rent, MLA says

Tenants will still owe their landlords back rent when the temporary regulation is lifted at an unknown date.

According to the email from the government spokesperson on Monday, "The regulation contemplates that it will eventually be repealed and normal processes respecting tenants' obligations to pay rent would resume, including payment in full for any amount that was deferred pursuant to these new provisions."

MLA Julie Green told CBC that's a concern for her.

"I don't see how it's feasible for people to come out of this crisis with thousands of dollars worth of debt — and landlords with thousands of dollars worth of debt," she said. "You've got people acquiring debt without really knowing how they're going to pay it."

Green wants the territorial government to come up with a grant system to pay off the rental arrears for tenants who can't pay their landlords.

She also wants more help for commercial tenants and landlords renting to those businesses. "If you have no business and you can't pay your rent ... you can't make the money out of air," she said. "You're just really in a stuck position. And it puts the small landlord in a tough position as well."

The decision follows a March media release from the committee of Northwest Territories non-Cabinet MLAs, where they called on the territorial government to suspend all evictions for 90 days and give tenants and landlords relief.

Previously the Northwest Territories Housing Corporation had announced it would defer payments on rent for those in public housing whose income had been affected the the COVID-19 pandemic.

Green said in response to the COVID-19 pandemic, she's seen "more cooperation" between the territory's cabinet ministers and the regular legislators who sit outside of government.

"There's always tension between what regular members want the executive to do and what the executive does," she said. "The executive doesn't take every suggestion that we give their way but they are looking at some of the suggestions we are giving, and they are acting on them."