

IN THE MATTER between **TEPEE HOUSING ASSOCIATION**, Applicant, and
JUDY MOORE, 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,
regarding the rental premises at **INUVIK, NT.**

BETWEEN:

TEPEE HOUSING ASSOCIATION

Applicant/Landlord

- and -

JUDY MOORE

Respondent/Tenant

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to section 43(3)(b) of the *Residential Tenancies Act*, the respondent shall not disturb other tenants' quiet enjoyment of the rental premises or residential complex again.

DATED at the City of Yellowknife, in the Northwest Territories this 12th day of
February, 2002.

Hal Logsdon
Rental Officer

IN THE MATTER between **TEPEE HOUSING ASSOCIATION**, Applicant, and
JUDY MOORE, 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:

TEPEE HOUSING ASSOCIATION

Applicant/Landlord

-and-

JUDY MOORE

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: February 12, 2002

Place of the Hearing: Inuvik, NT via teleconference

Appearances at Hearing: John Dixon, representing the applicant
Judy Moore, respondent
Jim Martin, representing the respondent

Date of Decision: February 12, 2002

REASONS FOR DECISION

The applicant alleged that the respondent had repeatedly disturbed other tenants' quiet enjoyment of the rental premises and residential complex and sought an order for the termination of the tenancy agreement between the parties.

The applicant provided three notices outlining alleged disturbances between August 29, 2001 and September 29, 2001. The last alleged incident involved burning food left on the stove and was followed by a notice of termination served on the respondent that day requesting vacant possession by October 13, 2001. The respondent failed to vacate the premises.

The applicant testified that there had not been any other incidents since September 29.

The respondent testified that after the last incident, she had sought help with her alcohol problem and had received treatment. She testified that she felt in control of the situation now and planned to continue her progress with the help of local support groups.

The incidents are more than just disturbance. In my opinion they have the potential to endanger other tenants living in the building. However, I do note a significant effort on the part of the respondent to bring an end to this unacceptable behaviour. To her credit, she has sought help and appears sincere in her continuing efforts to curb her alcohol abuse. In my opinion, the termination of this tenancy agreement would not assist her in this difficult task. However, I must

emphasize that disturbances are unwelcome and endangering others is unacceptable. Should future incidents of disturbance occur, I invite the landlord to file a future application seeking termination of the tenancy. At this time, I shall issue an order for the respondent to not disturb other tenants again.

Hal Logsdon
Rental Officer