

IN THE MATTER between **INUVIK HOUSING AUTHORITY**, Applicant, and **IRMA CARDINAL**, 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:

INUVIK HOUSING AUTHORITY

Applicant/Landlord

- and -

IRMA CARDINAL

Respondent/Tenant

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to section 43(3)(a) of the *Residential Tenancies Act*, the respondent shall comply with her obligation to not disturb other tenants in the residential complex.

DATED at the City of Yellowknife, in the Northwest Territories this 7th day of October, 2003.

Hal Logsdon
Rental Officer

IN THE MATTER between **INUVIK HOUSING AUTHORITY**, Applicant, and **IRMA CARDINAL**, 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:

INUVIK HOUSING AUTHORITY

Applicant/Landlord

-and-

IRMA CARDINAL

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: October 2, 2003

Place of the Hearing: Inuvik, NT

Appearances at Hearing: Victoria Boudreau, representing the applicant
Diana Tingmiak, representing the applicant
Irma Cardinal, respondent

Date of Decision: October 2, 2003

REASONS FOR DECISION

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

The applicant testified that there had been several incidents of disturbance prior to serving the respondent with a notice of early termination in May 2001. The respondent met with the board of directors who decided to rescind the notice provided there were no future disturbances. The applicant testified that there was another disturbance on July 31, 2003 which resulted in another notice of early termination requesting vacant possession by August 22, 2003. The respondent did not vacate the premises.

The respondent testified that she left her children in the care of her two nieces. The two girls arranged for another babysitter for the children and had a large party in the premises. The respondent stated that she had tried very hard to not disturb since the board rescinded the previous notice and did not suspect that the nieces would be unreliable babysitters. The applicant acknowledged that the respondent had been a good tenant in all other respects and that this was the first incident in over two years.

Although the respondent is responsible for the behaviour of her nieces, in my opinion, this is an unfortunate and isolated incident. It should not result in the termination of the tenancy agreement. An order shall issue requiring the respondent to comply with her obligation to not disturb other tenants.

Hal Logsdon
Rental Officer