

IN THE MATTER between **INUVIK HOUSING AUTHORITY**, Applicant, and
MINNIE ALLEN, 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 **YELLOWKNIFE, NT**.

BETWEEN:

INUVIK HOUSING AUTHORITY

Applicant/Landlord

- and -

MINNIE ALLEN

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 in the residential complex again.

DATED at the City of Yellowknife, in the Northwest Territories this 8th day of
November, 2004.

Hal Logsdon
Rental Officer

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R-5 (the "Act");

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BETWEEN:

INUVIK HOUSING AUTHORITY

Applicant/Landlord

-and-

MINNIE ALLEN

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: **October 26, 2004**

Place of the Hearing: **Inuvik, NT**

Appearances at Hearing: **Victoria Boudreau, representing the applicant**
Minnie Allen, respondent
Christine Kasook, interpreter
Jennifer Johnston, representing the respondent

Date of Decision: **October 26, 2004**

REASONS FOR DECISION

The applicant alleged that the tenant had repeatedly disturbed other tenants in the residential complex and sought an order terminating the tenancy agreement between the parties. The applicant outlined eight alleged incidents of disturbance between January 2003 and June 2004.

The respondent disputed several of the incidents and stated that she did not remember others. It is apparent that most of the incidents involved alcohol. The incidents were documented by the resident superintendent's reports.

The respondent is a senior citizen who is severely hearing impaired and is able to communicate only by sign language and in writing. She was sexually assaulted in the building several years ago, after which the landlord relocated her to an apartment next to the resident superintendent to provide her increased security. She stated that she still did not feel comfortable in the building and wanted to be relocated to other rental premises in another building. She stated that she had been taking counselling and that most of the incidents involved alcohol which had become a problem since the assault.

Ms. Johnston, who appeared on behalf of the respondent stated that the counselling skills available in Inuvik were not adequate to deal with the respondent's situation and undertook to refer her to adequate services if she was willing to participate. The respondent indicated that she would be willing to receive additional counselling if it was made available.

There is no doubt that the applicant has made extraordinary efforts to maintain this tenancy and that they feel there is little else they are able to do as a social housing provider. However, I do find two reasons to be optimistic. First, there have not been any further incidents of disturbance since June, 2004. Second, there is an agency undertaking to provide the respondent with special counselling and the willingness of the respondent to participate. In my opinion, given the circumstances, this tenancy should be permitted to continue provided the respondent does not create any future disturbances.

The request for an order terminating the tenancy agreement is denied. An order shall issue requiring the respondent to not disturb other tenants in the residential complex again.

Hal Logsdon
Rental Officer