

IN THE MATTER between **ALBERT FAILLE APARTMENTS**, Applicant, and  
**LEAH ISAIAH AND MILES ISAIAH**, Respondents;

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 **FORT SIMPSON, NT**.

BETWEEN:

**ALBERT FAILLE APARTMENTS**

Applicant/Landlord

- and -

**LEAH ISAIAH AND MILES ISAIAH**

Respondents/Tenants

**ORDER**

IT IS HEREBY ORDERED:

1. Pursuant to section 41(4)(a) of the *Residential Tenancies Act*, the respondents shall pay the applicant rent arrears in the amount of four hundred forty dollars (\$440.00).
2. Pursuant to section 43(3)(a) of the *Residential Tenancies Act*, the respondents shall comply with their obligation to not disturb other tenants in the residential complex.
3. Pursuant to section 41(4)(b) of the *Residential Tenancies Act*, the respondents shall pay future rent on time.

DATED at the City of Yellowknife, in the Northwest Territories this 31st day of March,  
2005.

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Hal Logsdon  
Rental Officer

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BETWEEN:

**ALBERT FAILLE APARTMENTS**

Applicant/Landlord

-and-

**LEAH ISAIAH AND MILES ISAIAH**

Respondents/Tenants

**REASONS FOR DECISION**

**Date of the Hearing:** March 30, 2005

**Place of the Hearing:** Fort Simpson, NT via videoconference

**Appearances at Hearing:** Mitchell Gast, representing the applicant  
Leah Isaiah, respondent

**Date of Decision:** March 30, 2005

**REASONS FOR DECISION**

The applicant alleged that the respondents had breached the tenancy agreement by failing to pay rent and by disturbing other tenants in the residential complex.

The applicant provided a statement of the rent account which indicated a balance of rent owing as at February 1, 2005 in the amount of \$3845. The applicant testified that since the application was filed, payments of \$4180 had been made and the March, 2005 rent of \$775 had come due, bringing the balance of rent owing to \$440. The applicant testified that the disturbances were caused by guests of the tenant or by babysitters in her employ. He stated that since the application had been filed, the disturbances had abated. The applicant stated that he would be willing to permit the tenancy to continue if the arrears were paid, future rent was paid on time and the disturbances did not reoccur.

The respondent did not dispute the rent arrears or the allegations concerning disturbances. She stated that she would pay the arrears promptly.

I find the respondents in breach of their obligation to pay rent and to not disturb other tenants. An order shall issue requiring the respondents to pay rent arrears in the amount of \$440, to pay future rent on time and to comply with their obligation to not disturb other tenants in the residential complex.

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Hal Logsdon  
Rental Officer