

IN THE MATTER between **NORTHERN PROPERTY LIMITED PARTNERSHIP**,  
Applicant, and **VERONICA GROSSETTE**, 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:

**NORTHERN PROPERTY LIMITED PARTNERSHIP**

Applicant/Landlord

- and -

**VERONICA GROSSETTE**

Respondent/Tenant

**ORDER**

IT IS HEREBY ORDERED:

1. Pursuant to section 43(3)(d) of the *Residential Tenancies Act*, the tenancy agreement between the parties for the premises known as Apartment 201, 5123 - 53rd Street, Yellowknife, NT shall be terminated on May 12, 2005 and the respondent shall vacate the premises on that date.

DATED at the City of Yellowknife, in the Northwest Territories this 5th day of May,  
2005.

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Hal Logsdon  
Rental Officer

IN THE MATTER between **NORTHERN PROPERTY LIMITED PARTNERSHIP**,  
Applicant, and **VERONICA GROSSETTE**, 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:

**NORTHERN PROPERTY LIMITED PARTNERSHIP**

Applicant/Landlord

-and-

**VERONICA GROSSETTE**

Respondent/Tenant

**REASONS FOR DECISION**

**Date of the Hearing:** May 5, 2005

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

**Appearances at Hearing:** Lucy Gillard, representing the applicant

**Date of Decision:** May 5, 2005

**REASONS FOR DECISION**

The respondent was served with a Notice of Attendance on April 27, 2005 but failed to appear at the hearing. The hearing was held in her absence.

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

The applicant provided nine incident reports outlining disturbances in the respondent's premises between April 8 and May 3, 2005. The applicant also provided written notices to the respondent outlining the incidents and seeking compliance with her obligation to not disturb other tenants.

The applicant testified that other tenants had repeatedly complained about the noise and that the police had attended the premises on numerous occasions in response to noise complaints. The applicant served a Notice of Early Termination on the respondent on April 18, 2005 seeking vacant possession on April 28, 2005 but the respondent remains in possession.

This tenancy agreement commenced on April 7, 2005. The evidence indicates that disturbance started immediately after the respondent took possession and has continued, unabated since that time. Despite notices and numerous verbal warnings, the respondent continues to disturb other tenants. The disturbances are serious and numerous. In my opinion, the only available remedy that will ensure other tenants will not be disturbed in the future is termination of the tenancy

agreement. In my opinion, there are sufficient grounds to order the tenancy agreement terminated and require the tenant to vacate the premises.

An order shall issue terminating the tenancy agreement between the parties on May 12, 2005.

The respondent shall vacate the premises on or before that date.

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Hal Logsdon  
Rental Officer