

IN THE MATTER between **809656 ALBERTA LTD.**, Applicant, and **ADAM GORDON**, 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:

809656 ALBERTA LTD.

Applicant/Landlord

- and -

ADAM GORDON

Respondent/Tenant

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to sections 43(3)(a) and 43(3)(b) of the *Residential Tenancies Act*, the respondent shall comply with his obligation to not disturb other tenants in the residential complex and shall not create disturbances in the future.

DATED at the City of Yellowknife, in the Northwest Territories this 17th day of May, 2005.

Hal Logsdon
Rental Officer

IN THE MATTER between **809656 ALBERTA LTD.**, Applicant, and **ADAM GORDON**, 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:

809656 ALBERTA LTD.

Applicant/Landlord

-and-

ADAM GORDON

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: May 13, 2005

Place of the Hearing: Yellowknife, NT

Appearances at Hearing: David Beckwith, representing the applicant

Date of Decision: May 13, 2005

REASONS FOR DECISION

The respondent was served with a Notice of Attendance sent by registered mail to the rental premises and confirmed delivered. The respondent failed to appear at the hearing and the hearing was held in his absence.

The applicant alleged that the respondent had disturbed other tenants in the residential complex and sought an order requiring the respondent to comply with his obligation to not disturb other tenants and to not create any disturbance in the future.

The applicant provided five notices in evidence outlining alleged disturbances between November 22, 2004 and April 9, 2005. The notices relate to loud guests and music late at night and state that other tenants in the complex have complained of the disturbance.

The evidence supports the landlord's allegations. I find the respondent in breach of his obligation to not disturb other tenants. An order shall issue requiring the respondent to comply with his obligation to not disturb other tenants and to not create any disturbances in the future.

Hal Logsdon
Rental Officer