

IN THE MATTER between **809656 ALBERTA LTD.**, Applicant, and **SHERRY BOULET**, 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 -

SHERRY BOULET

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 110, 42 Con Road, Yellowknife, NT shall be terminated on June 24, 2005 and the respondent shall vacate the premises on that day.

DATED at the City of Yellowknife, in the Northwest Territories this 16th day of June, 2005.

Hal Logsdon
Rental Officer

IN THE MATTER between **809656 ALBERTA LTD.**, Applicant, and **SHERRY BOULET**, 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-

SHERRY BOULET

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: June 14, 2005

Place of the Hearing: Yellowknife, NT

Appearances at Hearing: Dave Beckwith, representing the applicant
Sherry Boulet, respondent

Date of Decision: June 14, 2005

REASONS FOR DECISION

The applicant alleged that the respondent had repeatedly disturbed other tenants in the residential complex and sought an order terminating the tenancy agreement.

The applicant produced a petition from other tenants in the residential complex requesting the eviction of the respondent due to repeated disturbances. The applicant also provided a letter of complaint from another tenant in the complex and numerous notices to the respondent outlining incidents of disturbance.

The respondent stated that she had taken steps to eliminate any further disturbance by removing the offending persons from her apartment.

A previous order (File #10-8430, filed on May 17, 2005) was issued requiring the respondent to comply with her obligation to not disturb other tenants and to not create any disturbance in the future. In the short time since the issuance of that order, there have been at least four incidents of disturbance, one where the police were summoned to the premises. The most recent incident recorded by the landlord occurred on the day of this hearing. The statements from the respondent lack credibility in light of the facts. I see absolutely no abatement of the disturbance and it is obvious from the petition, that the activities of the respondent are disturbing practically every tenant in the building. There is no remedy except termination of the tenancy agreement that will ensure this disturbance comes to an end.

An order shall issue terminating the tenancy agreement on June 24, 2005, The respondent shall vacate the premises on that date.

Hal Logsdon
Rental Officer