

IN THE MATTER between **RAE-EDZO HOUSING AUTHORITY**, Applicant, and
LENA DRYBONES, 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 **RAE, NT**.

BETWEEN:

RAE-EDZO HOUSING AUTHORITY

Applicant/Landlord

- and -

LENA DRYBONES

Respondent/Tenant

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to section 41(4)(a) of the *Residential Tenancies Act*, the respondent shall pay the applicant rent arrears in the amount of nine hundred ninety five dollars and ninety three cents (\$995.93).
2. Pursuant to sections 43(3)(a) and 43(3)(b) of the *Residential Tenancies Act*, the respondent shall comply with her obligation to not disturb other tenants and shall not create any disturbances in the future.
3. Pursuant to section 41(4)(b) of the *Residential Tenancies Act*, the respondent shall pay future rent on time.

DATED at the City of Yellowknife, in the Northwest Territories this 20th day of
September, 2005.

Hal Logsdon
Rental Officer

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BETWEEN:

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Applicant/Landlord

-and-

LENA DRYBONES

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: September 1, 2005

Place of the Hearing: Rae, NT

Appearances at Hearing: Robert Richardson, representing the applicant

Date of Decision: September 1, 2005

REASONS FOR DECISION

The respondent was served with a Notice of Attendance on August 18, 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 failing to pay rent and by disturbing other tenants in the residential complex. The applicant sought an order requiring the respondent to pay the alleged rent arrears and terminating the tenancy agreement between the parties. The premises are subsidized public housing.

The applicant provided a copy of the tenant ledger in evidence which indicated a balance of rent owing in the amount of \$995.93. The applicant also provided two notices dated March 18 and April 25, 2005 outlining complaints received about parties and loud noises in the respondents' premises. The notice does not set out any particular dates of the alleged disturbances but warns the respondent that disturbances are a breach of the *Residential Tenancies Act*. The applicant testified that another disturbance complaint was received in late August but did not provide any detail.

Although details of the alleged disturbances are lacking, I am satisfied that some degree of disturbance has occurred. I find the respondent in breach of her obligation to pay rent and to not disturb other tenants. I find the rent arrears to be \$995.93. In my opinion, this tenancy agreement should be permitted to continue provided reasonable arrangements are made to pay the rent

arrears and there are no future disturbances.

An order shall issue requiring the respondent to pay the applicant rent arrears in the amount of \$995.93, requiring the respondent to comply with her obligation to not disturb other tenants, to not create any disturbances in the future and to pay future rent on time. Should any further disturbance occur or the rent arrears are not paid in a reasonable period of time, the applicant may file a future application seeking termination of the tenancy agreement.

Hal Logsdon
Rental Officer