

IN THE MATTER between **ROSA WAH SHEE**, Applicant, and **BARBARA ADJUN**, 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:

ROSA WAH SHEE

Applicant/Landlord

- and -

BARBARA ADJUN

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 two thousand two hundred dollars (\$2200.00).
2. Pursuant to section 41(4)(c) of the *Residential Tenancies Act*, the tenancy agreement for the premises known as 4610 49 Avenue, Yellowknife, NT, shall be terminated on February 28, 2006 at 12:00 noon. The respondent shall vacate the premises at that time.

DATED at the City of Yellowknife, in the Northwest Territories this 8th day of February, 2006.

Hal Logsdon
Rental Officer

IN THE MATTER between **ROSA WAH SHEE**, Applicant, and **BARBARA ADJUN**, 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:

ROSA WAH SHEE

Applicant/Landlord

-and-

BARBARA ADJUN

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: February 7, 2006

Place of the Hearing: Yellowknife, NT

Appearances at Hearing: Alex Lacroix, representing the applicant
Barbara Adjun, respondent

Date of Decision: February 7, 2006

REASONS FOR DECISION

The applicant alleged that the respondent had breached the tenancy agreement by failing to pay rent and by disturbing the landlord's quiet enjoyment of the premises. The applicant sought an order requiring the respondent to pay the alleged rent arrears and terminating the tenancy agreement between the parties.

The applicant testified that the respondent had failed to pay the rent for January and February, 2006 and that the rent for the premises was \$1100/month. The applicant sought relief in the amount of \$2200. The applicant also referred to a number of occasions on which the tenant created noise which was disturbing to the landlord, who occupied the same residential complex.

The parties have mutually agreed in writing to terminate the tenancy agreement on March 31, 2006.

The respondent did not dispute the allegations and stated that she wished to terminate the tenancy agreement on February 28, 2006

I find the respondent in breach of her obligation to pay rent and find the rent arrears to be \$2200. The parties have consented to an order terminating the tenancy agreement on February 28, 2006 at 12:00 noon.

An order shall issue requiring the respondent to pay the applicant rent arrears in the amount of \$2200 and terminating the tenancy agreement on February 28, 2006 at 12:00 noon.

Hal Logsdon
Rental Officer