

IN THE MATTER between **YELLOWKNIFE HOUSING AUTHORITY**, Applicant,
and **DARLENE PORTER**, 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:

YELLOWKNIFE HOUSING AUTHORITY

Applicant/Landlord

- and -

DARLENE PORTER

Respondent/Tenant

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to sections 45(4)(a) and 45(4)(b) of the *Residential Tenancies Act*, the respondent shall comply with her obligation to maintain the premises in a reasonable state of cleanliness by properly disposing of garbage and shall not breach that obligation again.

DATED at the City of Yellowknife, in the Northwest Territories this 26th day of May,
2006.

Hal Logsdon
Rental Officer

IN THE MATTER between **YELLOWKNIFE HOUSING AUTHORITY**, Applicant,
and **DARLENE PORTER**, Respondent.

AND IN THE MATTER of the **Residential Tenancies Act** R.S.N.W.T. 1988, Chapter
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BETWEEN:

YELLOWKNIFE HOUSING AUTHORITY

Applicant/Landlord

-and-

DARLENE PORTER

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: May 23, 2006

Place of the Hearing: Yellowknife, NT

Appearances at Hearing: Jim White, representing the applicant

Date of Decision: May 23, 2006

REASONS FOR DECISION

The respondent was served with a Notice of Attendance on May 9, 2006 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 dispose of her garbage in an acceptable manner. The premises are subsidized public housing which is leased from a private landlord by the applicant.

The applicant provided several notices from the head landlord complaining about the improper disposal of garbage by the respondent. The complaints include leaving garbage bags full of dirty disposable diapers and other garbage on the balcony of the rental premises.

The applicant stated that the respondent had been warned not to put garbage on the balcony on several occasions but had continued to improperly dispose of her garbage. The filed application sought termination of the tenancy agreement but the applicant stated that an order by a rental officer to comply with the obligation to maintain cleanliness might convince the respondent to begin disposing of her garbage in a sanitary manner.

Leaving garbage, particularly dirty diapers, outside and contained only in garbage bags is inviting a very unsanitary situation. The respondent's garbage has on numerous occasions been spread about the residential complex by ravens, creating a most unpleasant and unhealthy mess. I share

the applicant's hope that the respondent will begin to take notice of how her behaviour affects others and dispose of her garbage in the containers provided. If she persists with the improper disposal of her garbage, the applicant may file another application to terminate the tenancy agreement.

I find the respondent in breach of her obligation to maintain the premises in a reasonable state of cleanliness. An order shall issue requiring the respondent to comply with this obligation and to not breach it again.

Hal Logsdon
Rental Officer