

IN THE MATTER between **YELLOWKNIFE HOUSING AUTHORITY**, Applicant,
and **KARLA DIENER**, 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 -

KARLA DIENER

Respondent/Tenant

ORDER

IT IS HEREBY ORDERED:

1. The application is dismissed.

DATED at the City of Yellowknife, in the Northwest Territories this 10th day of August,
2006.

Hal Logsdon
Rental Officer

IN THE MATTER between **YELLOWKNIFE HOUSING AUTHORITY**, Applicant,
and **KARLA DIENER**, 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:

YELLOWKNIFE HOUSING AUTHORITY

Applicant/Landlord

-and-

KARLA DIENER

Respondent/Tenant

REASONS FOR DECISION

<u>Date of the Hearing:</u>	August 8, 2006
<u>Place of the Hearing:</u>	Yellowknife, NT
<u>Appearances at Hearing:</u>	Julie Forget, representing the applicant Karla Diener, respondent
<u>Date of Decision:</u>	August 8, 2006

REASONS FOR DECISION

The applicant alleged that the respondent disturbed other tenants in the residential complex. The applicant provided two call-out incident reports in evidence which described loud parties on June 17 and June 18, 2006. Both occurred very late at night. A previous order (File#10-8461, filed on June 7, 2005) ordered the respondent to comply with her obligation to not disturb other tenants and to not create any future disturbances.

The applicant stated that she realized the respondent had a young child and did not want to terminate the tenancy provided disturbances would not occur again. She withdrew the request for termination contained in the application and sought an order requiring the respondent to not disturb other tenants in the future.

The respondent did not dispute the allegations and stated that she had friends over to watch hockey games on television and everyone got very excited.

I find the respondent in breach of her obligation to not disturb other tenants and in breach of the previous order. In my opinion, the landlord is entitled to an order terminating the tenancy agreement. The respondent is fortunate that the landlord is willing to give her another chance.

There is no requirement to issue another order to not disturb again. One has already been issued and is still in effect. The application is therefore dismissed.

Hal Logsdon
Rental Officer