

IN THE MATTER between **N.W.T. COMMUNITY SERVICES CORPORATION**,
Applicant, and **CHESTER HAGEN**, 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:

N.W.T. COMMUNITY SERVICES CORPORATION

Applicant/Landlord

- and -

CHESTER HAGEN

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 512, 5004-54 Street, Yellowknife, NT shall be terminated on February 28, 2007 and the respondent shall vacate the premises on that date.

DATED at the City of Yellowknife, in the Northwest Territories this 7th day of February,
2007.

Hal Logsdon
Rental Officer

IN THE MATTER between **N.W.T. COMMUNITY SERVICES CORPORATION**,
Applicant, and **CHESTER HAGEN**, 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:

N.W.T. COMMUNITY SERVICES CORPORATION

Applicant/Landlord

-and-

CHESTER HAGEN

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: February 6, 2007

Place of the Hearing: Yellowknife, NT

Appearances at Hearing: Gail Leonardis, representing the applicant
Chester Hagen, respondent

Date of Decision: February 6, 2007

REASONS FOR DECISION

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

The applicant provided numerous security reports outlining alleged incidents of disturbance between April 22, 2005 and February 4, 2007. The applicant also provided numerous notices served on the respondent during that time period regarding disturbances. The applicant testified that they had served eight notices on the respondent during the last 18 months, six of which were the result of complaints received by other tenants and two as a result of reports from security personnel.

The respondent did not dispute the allegations but stated that in his opinion, some of the incidents outlined in the security reports were not very serious.

I agree with the respondent that some of the security reports outline minor incidents which would not be considered serious enough on their own to warrant termination of the tenancy agreement. However there are twenty nine reports, many of which describe significant disturbances and some involving police intervention. The evidence suggests that the respondent has been made aware on numerous occasions, both in writing and verbally, that his activities have been disturbing other tenants. There is no evidence that these warnings have resulted in the

abatement of the disturbing behaviour. In my opinion, there are sufficient grounds to terminate the tenancy agreement between the parties.

An order shall issue terminating the tenancy agreement between the parties on February 28, 2007. The respondent shall vacate the premises on that date.

Hal Logsdon
Rental Officer