

IN THE MATTER between **NORTHERN PROPERTY LIMITED PARTNERSHIP**,  
Applicant, and **ROCKY BILLOTSOTON**, 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:

**NORTHERN PROPERTY LIMITED PARTNERSHIP**

Applicant/Landlord

- and -

**ROCKY BILLOTSOTON**

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 208, 600 Gitzel Street, Yellowknife, NT shall be terminated on April 30, 2007 and the respondent shall vacate the premises on that date.

DATED at the City of Yellowknife, in the Northwest Territories this 17th day of April,  
2007.

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Hal Logsdon  
Rental Officer

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Applicant, and **ROCKY BILLOTSOTON**, Respondent.

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BETWEEN:

**NORTHERN PROPERTY LIMITED PARTNERSHIP**

Applicant/Landlord

-and-

**ROCKY BILLOTSOTON**

Respondent/Tenant

**REASONS FOR DECISION**

**Date of the Hearing:** April 13, 2007  
**Place of the Hearing:** Yellowknife, NT  
**Appearances at Hearing:** Julia O'Brien, representing the applicant  
**Date of Decision:** April 13, 2007

**REASONS FOR DECISION**

The respondent was served with a Notice of Attendance. The respondent failed to appear at the hearing and the hearing was heard in his absence.

The applicant alleged that the respondent had repeatedly disturbed other tenants in the residential complex. The applicant served a notice of early termination on the respondent on March 19, 2007 seeking vacant possession of the premises on March 29, 2007. The applicant testified that the respondent was still in possession although he has given written notice to terminate the tenancy on April 30, 2007. The notice was provided in evidence by the applicant. The applicant sought an order terminating the tenancy agreement.

The applicant provided numerous notices and complaints outlining incidents of disturbance in January, February and March, 2007.

The evidence supports the allegations of the applicant. It appears from the evidence that both parties wish to terminate this tenancy agreement. Normally, I would not make an order where a tenant has already given notice but in this matter, because the notice is not in accordance with the Act, an order may serve both parties. It will provide the landlord with certainty that the tenancy agreement is terminated in accordance with the Act and will protect the tenant from any future claims for lost rent due to insufficient notice.

I find the respondent in breach of his obligation to not disturb other tenants. An order shall issue terminating the tenancy agreement on April 30, 2007. I note that the spelling of the respondent's name on the application is not correct. The style of cause of the order shall reflect the spelling shown on the tenancy agreement and the respondent's notice.

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Hal Logsdon  
Rental Officer