

IN THE MATTER between **YELLOWKNIFE HOUSING AUTHORITY**, Applicant,
and **SAMANTHA NITSIZA**, 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 -

SAMANTHA NITSIZA

Respondent/Tenant

ORDER

IT IS HEREBY ORDERED:

1. The application is dismissed.

DATED at the City of Yellowknife, in the Northwest Territories this 1st day of June,
2007.

Hal Logsdon
Rental Officer

IN THE MATTER between **YELLOWKNIFE HOUSING AUTHORITY**, Applicant,
and **SAMANTHA NITSIZA**, Respondent.

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R-5 (the "Act");

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BETWEEN:

YELLOWKNIFE HOUSING AUTHORITY

Applicant/Landlord

-and-

SAMANTHA NITSIZA

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: May 29, 2007

Place of the Hearing: Yellowknife, NT

Appearances at Hearing: Julie Forget, representing the applicant
Margaret Best, representing the respondent
Samantha Nitsiza, respondent (by telephone)

Date of Decision: May 29, 2007

REASONS FOR DECISION

The applicant alleged that the respondent breached the tenancy agreement and a previous order by disturbing other tenants in the residential complex. The applicant sought an order terminating the tenancy agreement between the parties. The applicant also sought an order requiring the respondent to pay call-out charges related to the tenant locking herself out of the premises.

A previous order (File #10-9533, filed on May 10, 2007) order the respondent to not disturb other tenants in the residential complex or create any disturbance in the future.

The applicant alleged that the respondent created a disturbance on May 10, 2007 at 2:00 AM. An incident report was provided in evidence. According to the incident report an unidentified person in an unidentified premise called to complain about a party in unit 5401. The report indicates that a telephone call was made to unit 5401 and the security officer was informed that everyone had left.

The respondent testified that three persons came to her apartment to use the telephone and bathroom. She let them in but warned them that she faced eviction if there was any noise. She required them to leave after 15-20 minutes. The respondent also stated that one of her neighbours did not like her and always complained.

The evidence does indicate who made the complaint or if the complaint was made by another

tenant. The evidence does not indicate the duration or extent of the disturbance. Neither the security officer or anyone at the hearing had any direct knowledge of the incident. I can not conclude from the evidence that a disturbance of any significance occurred.

In the matter of the call out charges, this matter was heard previously (File #10-9533, filed on May 10, 2007) and determined based on the evidence provided at the time. I can not hear the same matter again. I assume the respondent, having now acknowledged that the call out charges were not paid, will now pay the applicant.

The application shall be dismissed.

Hal Logsdon
Rental Officer