

IN THE MATTER between **ULUKHAKTOK HOUSING ASSOCIATION**, Applicant,
and **DAN JOSS**, 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 **ULUKHAKTOK, NT.**

BETWEEN:

ULUKHAKTOK HOUSING ASSOCIATION

Applicant/Landlord

- and -

DAN JOSS

Respondent/Tenant

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to sections 84(3), 41(4)(a) and 42(3)(e) of the *Residential Tenancies Act*, the previous order (File #20-9288, filed on December 14, 2006) is rescinded and the respondent shall pay the applicant rent arrears and repair costs in the amount of five hundred seven dollars (\$507.00).

2. Pursuant to sections 43(3)(a) and 43(3)(b) of the *Residential Tenancies Act*, the respondent shall comply with his obligation to not disturb other tenants and shall not create any disturbances in the future.

DATED at the City of Yellowknife, in the Northwest Territories this 4th day of October, 2007.

Hal Logsdon
Rental Officer

IN THE MATTER between **ULUKHAKTOK HOUSING ASSOCIATION**, Applicant,
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BETWEEN:

ULUKHAKTOK HOUSING ASSOCIATION

Applicant/Landlord

-and-

DAN JOSS

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: September 26, 2007

Place of the Hearing: Ulukhaktok, NT via teleconference

Appearances at Hearing: Karen Kitekudlak, representing the applicant

Date of Decision: September 26, 2007

REASONS FOR DECISION

The respondent was served with a Notice of Attendance sent by registered mail. The respondent testified that the respondent was still in possession of the premises. The respondent failed to appear at the hearing and the hearing was held in his absence.

The applicant alleged that the respondent had breached the tenancy agreement by failing to pay rent, failing to repair damages to the rental premises and disturbing other tenants.

The applicant provided a copy of the tenant rent ledger in evidence which indicated a balance of rent owing in the amount of \$387. A copy of the tenant damage ledger was also provided in evidence which indicated a balance of repair costs owing in the amount of \$120.

The applicant provided two statutory declarations from other tenants stating that they had been disturbed by shouting and loud music from the respondent's premises late at night.

A previous order (File #20-9288, filed on December 14, 2006) required the respondent to pay rent arrears and repair costs in monthly installments of \$150 plus the monthly assessed rent. The ledgers indicate that this order has been breached by the respondent.

I find the ledgers in order and find the respondent in breach of the previous order. The repairs were determined to be necessary due to the negligence of the respondent and the costs reasonable at the previous hearing. I find the rent arrears to be \$387 and the remaining repair costs to be \$120. I also find the respondent in breach of his obligation to not disturb other tenants.

An order shall issue rescinding the previous order and ordering the respondent to pay the balance of rent and repair costs in the amount of \$507. The respondent shall also be ordered to comply with his obligation to not disturb other tenants and to not create any disturbances in the future.

Hal Logsdon
Rental Officer