

IN THE MATTER between **SHELTER CANADIAN PROPERTIES LTD.**, Applicant,
and **RANDY MOLNOR**, 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:

SHELTER CANADIAN PROPERTIES LTD.

Applicant/Landlord

- and -

RANDY MOLNOR

Respondent/Tenant

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to section 43(3)(a) and 43(3)(b) of the *Residential Tenancies Act*, the respondent shall comply with his obligation to not disturb the landlord or other tenants in the residential complex and shall not create any disturbance in the future.

DATED at the City of Yellowknife, in the Northwest Territories this 26th day of March,
2008.

Hal Logsdon
Rental Officer

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-and-

RANDY MOLNOR

Respondent/Tenant

REASONS FOR DECISION

<u>Date of the Hearing:</u>	March 18, 2008
<u>Place of the Hearing:</u>	Yellowknife, NT
<u>Appearances at Hearing:</u>	Trudy Spence, representing the applicant Randy Molnor, respondent
<u>Date of Decision:</u>	March 18, 2008

REASONS FOR DECISION

The applicant alleged that the respondent had breached the tenancy agreement by repeatedly disturbing other tenants in the residential complex. The applicant served a notice of early termination on the respondent on February 6, 2008 seeking vacant possession on February 29, 2008. The respondent remained in possession of the premises and the applicant sought an order terminating the tenancy agreement.

The applicant provided two written complaints from other tenants in the residential complex concerning loud music from the respondent's apartment. The applicant also provided two recent occurrence reports outlining domestic disturbance. The applicant testified that the complaints of loud music appear to have abated but the recent disturbances gave her cause for concern.

The respondent did not dispute the allegations and stated that he was more careful about the level of his music since he received the complaints. He stated that the recent disturbances were caused by a female acquaintance that does not live in Yellowknife and is no longer permitted in his apartment. He stated that there would be no future disturbances. The applicant agreed to permit the tenancy to continue as long as no other disturbances occurred.

I find the respondent in breach of his obligation to not disturb the landlord or other tenants in the residential complex. An order shall issue requiring the respondent to comply with his obligation to not disturb others and to not create any disturbance in the future. Should a disturbance occur in

the future, the applicant may file another application seeking termination of the tenancy agreement.

Hal Logsdon
Rental Officer