

IN THE MATTER between **NORTHERN PROPERTY LIMITED PARTNERSHIP**,
Applicant, and **VALERIE THERIAULT**, 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 -

VALERIE THERIAULT

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 102, 5730 - 50th Avenue, Yellowknife, NT shall be terminated on May 8, 2008 and the respondent shall vacate the premises on that date.

DATED at the City of Yellowknife, in the Northwest Territories this 30th day of April,
2008.

Hal Logsdon
Rental Officer

IN THE MATTER between **NORTHERN PROPERTY LIMITED PARTNERSHIP**,
Applicant, and **VALERIE THERIAULT**, 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:

NORTHERN PROPERTY LIMITED PARTNERSHIP

Applicant/Landlord

-and-

VALERIE THERIAULT

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: April 29, 2008

Place of the Hearing: Yellowknife, NT

Appearances at Hearing: Julia O'Brien, representing the applicant

Date of Decision: April 29, 2008

REASONS FOR DECISION

The respondent was served with a Notice of Attendance sent by registered mail to the rental premises and confirmed delivered. The respondent failed to appear at the hearing and the hearing was held in her absence.

The applicant alleged that the respondent had repeatedly disturbed other tenants in the residential complex and sought an order terminating the tenancy agreement. A notice of early termination was served on the respondent on February 22, 2008 seeking vacant possession of the premises on March 2, 2008. The respondent remains in possession.

The applicant provided incident reports and notices to the respondent in evidence outlining three incidents of disturbance between February 17, 2008 and March 13, 2008. The tenancy agreement between the parties commenced on January 10, 2008. The applicant also provided a written complaint from another tenant in the residential complex in evidence. The incidents involve noisy guests yelling and fighting late at night.

I find the respondent in breach of her obligation to not disturb other tenants in the residential complex. This behaviour has persisted since the beginning of the tenancy agreement and shows no sign of abatement. The landlord's notices and warnings appear to have been ignored by the respondent. In my opinion, there are sufficient grounds to terminate the tenancy agreement particularly as this appears to be the only available remedy that will ensure that other tenants are

not disturbed in the future.

An order shall issue terminating the tenancy agreement on May 8, 2008. The respondent shall vacate the premises on that date.

Hal Logsdon
Rental Officer