

IN THE MATTER between **HAY RIVER MOBILE HOME PARK LTD.**, Applicant,
and **SHAUN MCSWAIN**, 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 **HAY RIVER, NT.**

BETWEEN:

HAY RIVER MOBILE HOME PARK LTD.

Applicant/Landlord

- and -

SHAUN MCSWAIN

Respondent/Tenant

ORDER

IT IS HEREBY ORDERED:

1. 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 13th day of August,
2010.

Hal Logsdon
Rental Officer

IN THE MATTER between **HAY RIVER MOBILE HOME PARK LTD.**, Applicant,
and **SHAUN MCSWAIN**, 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:

HAY RIVER MOBILE HOME PARK LTD.

Applicant/Landlord

-and-

SHAUN MCSWAIN

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: August 12, 2010

Place of the Hearing: Hay River, NT via teleconference

Appearances at Hearing: Michelle Schaub, representing the applicant
Shaun McSwain, respondent

Date of Decision: August 12, 2010

REASONS FOR DECISION

The applicant alleged that the respondent had breached the tenancy agreement by disturbing other tenants in the mobile home park. The applicant sought an order requiring the respondent to comply with his obligation to not disturb other tenants and to refrain from creating any future disturbances.

The applicant testified that the respondent had frequent loud parties at his premises and that the police had attended the premises on several occasions. The applicant provided letters of complaint from two other tenants in the mobile home park outlining the frequent parties and the litter left by the respondent's guests.

The respondent did not dispute the allegations and stated that he would refrain from holding any loud parties at the premises.

I find the respondent in breach of his obligation to not disturb other tenants in the mobile home park. An order shall issue requiring the respondent to comply with his obligation to not disturb other tenants and to not create any disturbances in the future.

Hal Logsdon
Rental Officer