

IN THE MATTER between **NPR LIMITED PARTNERSHIP**, Applicant, and **JOHN HARRISON**, Respondent;

AND IN THE MATTER of the **Residential Tenancies Act** R.S.N.W.T. 1988, Chapter R-5 (the "Act") and amendments thereto;

AND IN THE MATTER of a Hearing before, **HAL LOGSDON**, Rental Officer, regarding the rental premises at **YELLOWKNIFE, NT**.

BETWEEN:

NPR LIMITED PARTNERSHIP

Applicant/Landlord

- and -

JOHN HARRISON

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 213, 490 Range Lake Road, Yellowknife, NT shall be terminated on March 31, 2011 and the respondent shall vacate the premises on that day.
2. Pursuant to section 63(4)(b) of the *Residential Tenancies Act*, the respondent shall pay the applicant compensation for use and occupation of the rental premises for each day the respondent remains in the premises in April, 2011 in the amount of forty one dollars and sixteen cents (\$41.16).

DATED at the City of Yellowknife, in the Northwest Territories this 23rd day of March, 2011.

Hal Logsdon
Rental Officer

IN THE MATTER between **NPR LIMITED PARTNERSHIP**, Applicant, and **JOHN HARRISON**, 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:

NPR LIMITED PARTNERSHIP

Applicant/Landlord

-and-

JOHN HARRISON

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: March 22, 2011

Place of the Hearing: Yellowknife, NT

Appearances at Hearing: Maigan Lefrancois, representing the applicant

Date of Decision: March 22, 2011

REASONS FOR DECISION

The respondent was personally served with a Notice of Attendance but failed to appear at the hearing. The hearing was held in his absence.

The applicant alleged that the respondent had repeatedly disturbed other tenants in the residential complex and sought an order terminating the tenancy agreement and evicting the respondent.

The applicant provided written complaints from two tenants in the residential complex outlining numerous disturbances. The applicant has sent notices to the respondent warning him that future disturbances will result in termination of the tenancy agreement. The applicant stated that the disturbances have continued unabated since the application was filed.

I find the respondent in breach of his obligation to not disturb other tenants in the residential complex. In my opinion, there are sufficient grounds to terminate the tenancy agreement. There does not appear to be any remedy, other than termination of the tenancy agreement, that will provide quiet enjoyment for other tenants in the building.

An order shall issue terminating the tenancy agreement on March 31, 2011. If the tenant continues to occupy the premises past that date he is ordered to pay per diem compensation to the applicant of \$41.16. An eviction order shall issue separately.

Hal Logsdon
Rental Officer