

IN THE MATTER between **YELLOWKNIFE HOUSING AUTHORITY**, Applicant,
and **JIRI FOLTYN**, 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:

YELLOWKNIFE HOUSING AUTHORITY

Applicant/Landlord

- and -

JIRI FOLTYN

Respondent/Tenant

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to section 43(3)(b) of the *Residential Tenancies Act*, the respondent shall not breach his obligation to not disturb the landlord or other tenants in the residential complex again.

DATED at the City of Yellowknife, in the Northwest Territories this 13th day of June,
2014.

Hal Logsdon
Rental Officer

IN THE MATTER between **YELLOWKNIFE HOUSING AUTHORITY**, Applicant,
and **JIRI FOLTYN**, 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:

YELLOWKNIFE HOUSING AUTHORITY

Applicant/Landlord

-and-

JIRI FOLTYN

Respondent/Tenant

REASONS FOR DECISION

<u>Date of the Hearing:</u>	June 4, 2014
<u>Place of the Hearing:</u>	Yellowknife, NT
<u>Appearances at Hearing:</u>	Ella Newhook, representing the applicant Jiri Foltyn, respondent
<u>Date of Decision:</u>	June 4, 2014

REASONS FOR DECISION

The applicant alleged that the respondent had breached the tenancy agreement by creating a disturbance in the residential complex. The applicant sought an order requiring the respondent to not breach that obligation again.

The respondent is a tenant in a residential complex for independent senior citizens. The applicant provided a report from the resident caretaker outlining an incident that allegedly occurred on May 1, 2014. The report described an incident where the respondent tried to force his way into the caretaker's apartment, shouting obscenities, banging on the door and making verbal threats. The report states that the RCMP were called and took the respondent into custody.

The respondent did not dispute the allegations and stated that the behaviour was contrary to his nature and was caused by an adverse interaction between his prescribed drugs and alcohol. The applicant acknowledged that the behaviour was not normal for the respondent.

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 not breach that obligation again.

Hal Logsdon
Rental Officer