

IN THE MATTER between **NTHC**, Applicant, and **MG**, 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 **Adelle Guigon**, Rental Officer,

BETWEEN:

NTHC

Applicant/Landlord

-and-

MG

Respondent/Tenant

REASONS FOR DECISION

<u>Date of the Hearing:</u>	October 26, 2016
<u>Place of the Hearing:</u>	Fort Providence, Northwest Territories
<u>Appearances at Hearing:</u>	AG, representing the applicant MG, respondent
<u>Date of Decision:</u>	October 26, 2016

REASONS FOR DECISION

An application to a rental officer made by FPHA on behalf of the NTHC as the applicant/landlord against MG as the respondent/tenant was filed by the Rental Office June 16, 2016. The application was made regarding a subsidized public housing residential tenancy agreement for a rental premises located in Fort Providence, Northwest Territories. The applicant sent a copy of the filed application on the respondent by registered mail deemed served July 5, 2016, pursuant to section 71(5) of the *Residential Tenancies Act* (the Act).

The applicant alleged the respondent had repeatedly disturbed other tenants' and the landlord's possession and enjoyment of the rental premises and residential complex. An order was sought for the respondent to comply with their obligation not to cause disturbances, termination of the tenancy agreement, and eviction.

A hearing was scheduled for October 26, 2016, in Fort Providence, Northwest Territories. The rental officer appeared by telephone. Ms. AG appeared representing the applicant. Ms. MG appeared as respondent.

Tenancy agreement

The parties agreed and evidence was presented establishing a residential tenancy agreement between them for subsidized public housing commencing October 1, 2015. I am satisfied a valid tenancy agreement is in place between the parties in accordance with the Act.

Disturbances

The applicant's representative testified and provided evidence establishing a repeated pattern of disturbances occurring in May and June 2016. Since a visit between the parties on June 10th, there have been no further complaints received against the respondent. The respondent did not dispute that there were problems occurring at her rental premises over a six-week period which caused disturbances for other tenants. She was apologetic and, as has been indicated, has made successful efforts to resolve the issue.

I am satisfied the respondent is responsible for disturbing other tenants' and the landlord's enjoyment and possession of the rental premises and residential complex.

Termination of the tenancy agreement and eviction

In consideration of the respondent's successful efforts to stop further disturbances, I am not satisfied that termination of the tenancy agreement and eviction are justified.

Orders

An order will issue requiring the respondent to comply with her obligation not to disturb the landlord's or other tenants' enjoyment or possession of the rental premises and residential complex, and not to breach that obligation again.

Adelle Guigon
Rental Officer