

IN THE MATTER between **NTHC**, Applicant, and **MSC**, 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-

**MSC**

Respondent/Tenant

**REASONS FOR DECISION**

**Date of the Hearing:** May 11, 2017

**Place of the Hearing:** Yellowknife, Northwest Territories

**Appearances at Hearing:** AB, representing the applicant  
BB, representing the applicant  
CO, representing the applicant

**Date of Decision:** May 11, 2017

### **REASONS FOR DECISION**

An application to a rental officer made by YHA on behalf of the NTHC as the applicant/landlord against MSC as the respondent/tenant was filed by the Rental Office January 19, 2017. The application was made regarding a subsidized public housing residential tenancy agreement for a rental premises located in Yellowknife, Northwest Territories. The filed application was personally served on the respondent January 19, 2017.

The applicant alleged the respondent had been verbally abusive and threatening towards the landlord's staff. An order was sought for the respondent to comply with her obligation not to disturb the landlord's enjoyment or possession of the rental premises or residential complex.

A hearing was scheduled for May 11, 2017, in Yellowknife. AB, BB, and CO appeared representing the applicant. MSC was served notice of the hearing by email deemed received April 23, 2017, pursuant to section 4(4) of the *Residential Tenancies Regulations* (the Regulations). The respondent did not appear at the hearing, nor did anyone appear on her behalf. The hearing proceeded in the respondent's absence pursuant to section 80(2) of the *Residential Tenancies Act* (the Act).

#### *Tenancy agreement*

The applicant's representatives testified and provided evidence establishing a residential tenancy agreement between the parties for subsidized public housing commencing September 5, 2013. I am satisfied a valid tenancy agreement is in place in accordance with the Act.

#### *Disturbances*

The applicant's representatives testified to personally bearing the brunt of the respondent's abusive behaviour towards them. Interactions originating from necessary communications regarding the tenancy and various property management duties usually involved the respondent shouting and screaming accusations and threats at the landlord's staff, and attempting to use intimidation tactics to get what she wants.

The testimony of AB and CO was consistent and portrayed similar experiences interacting with the respondent. BB testified to having witnessed some of the incidents and being called in to assist with resolving issues. He testified that the respondent seems to respond positively to his authority as a manager, resulting in a less aggressive attitude from the respondent.

The applicant's representatives clarified that they were seeking nothing more at this time than for the abusive behaviour to stop.

I am satisfied that the applicant's representatives' testimonies demonstrate a disturbing pattern of behaviour from the respondent which interferes with their enjoyment and possession of the rental premises and residential complex, to say nothing of their workplace environment. I find the respondent has failed to comply with her obligation not to disturb the landlord's enjoyment or possession of the rental premises or residential complex.

*Order*

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 or residential complex, and not to breach that obligation again.

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Adelle Guigon  
Rental Officer