

IN THE MATTER between **NTHC**, Applicant, and **MK and AL**, Respondents.

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-

MK and AL

Respondents/Tenants

REASONS FOR DECISION

<u>Date of the Hearing:</u>	March 21, 2018
<u>Place of the Hearing:</u>	Hay River, Northwest Territories
<u>Appearances at Hearing:</u>	AS, representing the applicant FMK, respondent
<u>Date of Decision:</u>	March 21, 2018

REASONS FOR DECISION

An application to a rental officer made by HRHA on behalf of the NTHC as the applicant/landlord against MK and AL as the respondents/tenants was filed by the Rental Office November 29, 2017. The application was made regarding a residential tenancy agreement for a rental premises located in Hay River, Northwest Territories. The filed application was personally on the respondent January 25, 2018.

The applicant alleged the respondents had repeatedly caused disturbances. An order was sought for the respondents to comply with their obligation not to cause disturbances and not to breach that obligation again.

A hearing was scheduled for March 21, 2018, in Hay River. The Rental Officer appeared by telephone. AS appeared representing the applicant. FMK appeared as respondent and on behalf of AL.

Tenancy agreement

The parties agreed and evidence was presented establishing a residential tenancy agreement between them for subsidized public housing commencing April 1, 2012. I am satisfied a valid tenancy agreement is in place in accordance with the *Residential Tenancies Act* (the Act).

Disturbances

The applicant's representative testified and provided evidence of complaints received from neighbouring tenants of yelling, screaming, fighting, and arguing coming from the respondents' premises in the middle of the night at least five times between mid-October 2016 and mid-November 2017. The disturbances were of sufficient nature to scare some of the neighbours. There have been no further disturbances reported since mid-November 2017.

The respondent did not dispute the applicant's claims, acknowledging the disturbances and accepting responsibility for them.

I am satisfied the respondents have caused the disturbances as described and I find the respondents have repeatedly failed to comply with their obligation not to disturb the landlord's or other tenants' enjoyment or possession of the rental premises or residential complex.

Orders

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

Adelle Guigon
Rental Officer