

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

**NB**

Respondent/Tenant

**REASONS FOR DECISION**

<b><u>Date of the Hearing:</u></b>	<b>June 20, 2018</b>
<b><u>Place of the Hearing:</u></b>	<b>Hay River, Northwest Territories</b>
<b><u>Appearances at Hearing:</u></b>	<b>AS, representing the applicant NB, respondent</b>
<b><u>Date of Decision:</u></b>	<b>June 20, 2018</b>

**REASONS FOR DECISION**

An application to a rental officer made by HRHA on behalf of the NTHC as the applicant/landlord against NB as the respondent/tenant was filed by the Rental Office March 2, 2018. The application was made regarding a residential tenancy agreement for a rental premises located in Hay River, Northwest Territories. The filed application was served on the respondent by registered mail signed for March 19, 2018.

The applicant alleged the respondent had failed to comply with the obligation not to disturb the landlord's or other tenants' enjoyment or possession of the rental premises and had failed to comply with a rental officer order requiring compliance with that obligation. An order was sought for the respondent to comply with the obligation not to cause disturbances and not to breach that obligation again. The request to terminate the tenancy agreement and for eviction were withdrawn at hearing.

A hearing was scheduled for June 20, 2018, in Hay River. The Rental Officer appeared by telephone. AS appeared representing the applicant. NB appeared as respondent.

*Tenancy agreement*

The parties agreed and evidence was presented establishing a residential tenancy agreement between them for subsidized public housing commencing June 1, 2014. I am satisfied a valid tenancy agreement is in place in accordance with the *Residential Tenancies Act* (the Act).

*Previous order*

Rental Officer Order Number 15700 issued September 13, 2017, required the respondent to comply with the obligation not to cause disturbances and required the respondent not to breach that obligation again.

### *Disturbances*

The parties agreed that no less than four incidents occurred in February 2018 which created a disturbance for neighbouring tenants in the residential complex. One of the incidents was caused by the respondent's boyfriend seeking early morning access to the rental premises. The remaining incidents all involved one particular neighbour, and each of the incidents involved arguing and fighting in the hallways. It was acknowledged that both the respondent and the neighbouring tenant were equally responsible for the disturbances, and that if they could just stop engaging with each other there would likely be no further complaints.

The respondent did in fact meet with the applicant's representative and entered into a last chance agreement on February 28, 2018, and there have been no incidents of note since then. The respondent has made positive steps to improve her lifestyle and has successfully gained employment, which keeps her busy.

I am satisfied that the respondent is jointly responsible for the disturbances which occurred in February 2018. Those disturbances consequently result in the respondent having failed to comply with the previous rental officer order.

### *Order*

An order will issue requiring the respondent to comply with the 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