

IN THE MATTER between **Y.Z.**, Applicant, and **G.B.**, 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:

Y.Z

Applicant/Landlord

-and-

G.B.

Respondent/Tenant

REASONS FOR DECISION

<u>Date of the Hearing:</u>	August 22, 2018
<u>Place of the Hearing:</u>	Hay River, NT via teleconference
<u>Appearances at Hearing:</u>	A.S., representing the applicant
	G.B., respondent
<u>Date of Decision:</u>	August 22, 2018

REASONS FOR DECISION

The applicant alleged that the respondent had breached the tenancy agreement by disturbing other tenants in the residential complex and failing to pay charges related to call-outs to unlock the door to his apartment when he had misplaced his keys.

The applicant provided work orders outlining numerous call-outs which were made necessary because the respondent had locked himself out of the apartment. The applicant charges \$50 for a call out to unlock the door. The applicant had also replaced several sets of keys at a cost to the tenant of \$20/set. The applicant provided a copy of the lease balance statement which indicated a balance owing of call-out and key charges in the amount of \$210.

The applicant also provided numerous notices outlining incidents of disturbances involving the tenant and a female guest of the tenant. However, the applicant stated that since the application was filed on July 11, 2018 the respondent had ended his relationship with the frequent female guest and the disturbances had ceased. The applicant had requested an order terminating the tenancy agreement and evicting the respondent due to the repeated disturbances but stated that they wished to withdraw the termination and eviction request in favour of an order to comply with the obligation to not disturb and to not breach that obligation in the future.

The respondent did not dispute the allegations.

I find the respondent's failure to pay the call out charges to be a breach of section 42 of the *Residential Tenancies Act*. I find the accounting of the charges in order and the charges reasonable. An order shall issue requiring the respondent to pay the applicant the call out charges of \$210.00

I find that the tenant was in breach of his obligation to not disturb other tenants in the residential complex. An order shall issue requiring the respondent to comply with his obligation to not disturb and to not breach that obligation again.

Hal Logsdon
Rental Officer