

IN THE MATTER between **NPRLP**, Applicant, and **RV**, 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:

NPRLP

Applicant/Landlord

-and-

RV

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: July 31, 2019

Place of the Hearing: Inuvik, Northwest Territories

Appearances at Hearing: IA, representing the Applicant

Date of Decision: July 31, 2019

REASONS FOR DECISION

An application to a rental officer made by NPRLP as the Applicant/Landlord against RV as the Respondent/Tenant was filed by the Rental Office May 29, 2019. The application was made regarding a residential tenancy agreement for a rental premises located in Inuvik, Northwest Territories. The filed application was personally served on the Respondent June 24, 2019.

The Applicant alleged the Respondent had repeatedly and unreasonably disturbed the Landlord's and other tenants' enjoyment and possession of the rental premises and residential complex. An order was sought for termination of the tenancy agreement and eviction.

A hearing was scheduled for July 31, 2019, in Inuvik. The Rental Officer appeared by telephone. IA appeared representing the Applicant. RV was personally served notice of the hearing June 24, 2019. The Respondent did not appear at the hearing, nor did anyone appear on the Respondent's behalf. The hearing proceeded in the Respondent's absence pursuant to subsection 80(2) of the *Residential Tenancies Act* (the Act).

Tenancy agreement

Evidence was presented establishing a residential tenancy agreement between the parties commencing December 1, 2017. I am satisfied a valid tenancy agreement is in place in accordance with the Act.

Disturbances

The Applicant's representative testified and evidence was presented establishing that since November 2018 numerous and regular complaints have been received from other tenants in the residential complex regarding disturbances originating from the Respondent's rental premises. The nature of the disturbances have included partying, yelling, playing loud music, incidents requiring RCMP and security personnel attendance. The Applicant has issued several notices to the Respondent regarding the disturbances. There has been no diminishment to either the nature or the frequency of the disturbances to date.

I am satisfied the Respondent is responsible for the claimed disturbances. I find the Respondent has repeatedly and unreasonably disturbed the landlord's and other tenants' enjoyment and possession of the rental premises and residential complex, and I find that termination of the tenancy agreement and eviction are justified.

Orders

An order will issue terminating the tenancy agreement August 15, 2019, and evicting the Respondent from the rental premises August 16, 2019.

Adelle Guigon
Rental Officer