

IN THE MATTER between **LM**, Applicant, and **AD**, 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:

LM

Applicant/Landlord

-and-

AD

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: September 24, 2021

Place of the Hearing: Yellowknife, Northwest Territories

Appearances at Hearing: LM, Applicant

Date of Decision: September 24, 2021

REASONS FOR DECISION

An application to a rental officer made by LM as the Applicant/Landlord against AD as the Respondent/Tenant was filed by the Rental Office August 23, 2021. The application was made regarding a residential tenancy agreement for a rental premises located in Yellowknife, Northwest Territories. The filed application was served on the Respondent by email confirmed received September 9, 2021.

The Applicant requested an order to terminate the tenancy to use the rental premises as a residence for the Landlord's parents and sister.

The application was considered by written submission. The Applicant was personally served with the notice of hearing by written submission September 8, 2021. The Respondent was served with the notice of hearing by written submission by email confirmed received September 9, 2021. The Applicant made no further submissions than what was provided in the application. The Respondent made no written submissions.

Tenancy agreement

Evidence was provided establishing a residential tenancy agreement between the parties for a fixed-term beginning December 1, 2020, and ending November 30, 2021. I am satisfied a valid tenancy agreement is in place in accordance with the *Residential Tenancies Act* (the Act).

Termination of the tenancy

Subparagraph 58(1)(a)(ii) of the Act provides for a landlord to apply to terminate a tenancy where the landlord requires possession of the rental premises for use as a residence by the spouse, child, or parent of the landlord.

In the Applicant's written submissions she explained that the rental premises is a separate suite attached to her residence. Currently her parents, sister, common-law spouse, and children all reside with her in the main residence. The number of occupants in the residence is crowded and affecting the family's interpersonal relationships. In an effort to alleviate the stress caused by the crowded co-occupancy while maintaining proximity to her family, the Landlord would like to move her parents and sister into the attached suite.

I am satisfied the Applicant in good faith requires possession of the rental premises for use as a residence by her parents and sister. Where the Rental Officer is satisfied under subparagraph 58(1)(a)(ii) of the Act, the Rental Officer may order the termination of a fixed-term tenancy for the last day of the fixed-term. In this case, the last day of the fixed-term is November 30, 2021.

Orders

An order will issue terminating the tenancy November 30, 2021, and evicting the Respondent from the rental premises December 1, 2021 (sp. 58(1.1)(a)(ii), p. 63(4)(a)).

Adelle Guigon
Rental Officer