

IN THE MATTER between **HAY RIVER HOUSING AUTHORITY**, Applicant, and **ALEX LAFFERTY**, 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, regarding the rental premises at **HAY RIVER, NT**.

BETWEEN:

HAY RIVER HOUSING AUTHORITY

Applicant/Landlord

- and -

ALEX LAFFERTY

Respondent/Tenant

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to section 43(3)(b) of the *Residential Tenancies Act*, the respondent shall not disturb the landlord's other tenants' quiet enjoyment of the premises or residential complex again.

DATED at the City of Yellowknife, in the Northwest Territories this 7th day of February, 2002.

Hal Logsdon
Rental Officer

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ALEX LAFFERTY, Respondent.

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R-5 (the "Act");

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BETWEEN:

HAY RIVER HOUSING AUTHORITY

Applicant/Landlord

-and-

ALEX LAFFERTY

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: February 7, 2002

Place of the Hearing: Hay River, NT via teleconference

Appearances at Hearing: Marilyn Lea, representing the applicant
Alex Lafferty, respondent
Judith Stele, representing the respondent

Date of Decision: February 7, 2002

REASONS FOR DECISION

The applicant alleged that the respondent had repeatedly disturbed other tenants' quiet enjoyment of the rental premises and sought an order for the respondent not to disturb other tenants in the future. The applicant withdrew their request for an order terminating the tenancy agreement between the parties. The applicant provided numerous notices and reports outlining alleged incidents of disturbance from April, 1998 to November, 2001.

The respondent disputed the latest alleged incident (notice served on November 13, 2001) but admitted that there had been repeated disturbances in the past.

I find that the respondent has breached the tenancy agreement by disturbing other tenants' quiet enjoyment of the rental premises. An order shall be issued for the respondent to not disturb other tenants in the future. The respondent should regard disturbance as a serious threat to the continuation of the tenancy agreement and ensure that this order is not breached in the future.

Hal Logsdon
Rental Officer