

IN THE MATTER between **GREAT SLAVE LAKE WILDERNESS ADVENTURES**,
Applicant, and **PATRICIA MACVICAR**, 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 **YELLOWKNIFE, NT**.

BETWEEN:

GREAT SLAVE LAKE WILDERNESS ADVENTURES

Applicant/Landlord

- and -

PATRICIA MACVICAR

Respondent/Tenant

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to section 43(3)(d) of the *Residential Tenancies Act*, the tenancy agreement between the parties for the premises known as Apartment #6, 627 Williams Avenue, Yellowknife, NT shall be terminated on June 24, 2003 and the respondent shall vacate the rental premises on that date.

DATED at the City of Yellowknife, in the Northwest Territories this 11th day of June,
2003.

Hal Logsdon
Rental Officer

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GREAT SLAVE LAKE WILDERNESS ADVENTURES

Applicant/Landlord

-and-

PATRICIA MACVICAR

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: June 10, 2003

Place of the Hearing: Yellowknife, NT

Appearances at Hearing: Jason Yamkowy, representing the applicant
Courtney Murray, witness for the applicant

Date of Decision: June 10, 2003

REASONS FOR DECISION

The respondent was served with a Notice of Attendance on May 31, 2003 but failed to attend the hearing. The hearing was held in her absence.

The applicant's correct business name is Great Slave Lake Wilderness Adventures. The style of cause of this order shall be amended accordingly.

The applicant alleged that the respondent had repeatedly disturbed other tenants' quiet enjoyment of the premises and sought an order terminating the tenancy agreement between the parties. The applicant called a witness who had direct knowledge of incidents of disturbance as she lived in the residential complex. The witness described a violent incident which occurred on April 26, 2003 which involved the respondent and her partner. The witness testified that the police were required to intervene and the respondent and her partner were taken into custody. The witness also testified that there had been numerous other disturbances before and after the April 26th incident. She stated that other tenants had complained about the noise and violence but were frightened to make any formal complaints.

The incidents described are particularly disturbing due to their violent nature. Other tenants in the residential complex are obviously not only disturbed by the noise but intimidated and frightened by the violence which the respondent and her partner exhibit. The landlord also has reasonable concerns about possible damage to the premises, since the violence has included the breaking of

doors and furniture. In my opinion, there are sufficient grounds to terminate the tenancy agreement due to these disturbances. An order shall be issued terminating the tenancy agreement on June 24, 2003. The respondent shall vacate the premises on that date.

Hal Logsdon
Rental Officer