

IN THE MATTER between **HAY RIVER HOUSING AUTHORITY**, Applicant, and **DARLENE ROSS**, 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**.

BETWEEN:

**HAY RIVER HOUSING AUTHORITY**

Applicant/Landlord

- and -

**DARLENE ROSS**

Respondent/Tenant

**ORDER**

IT IS HEREBY ORDERED:

1. Pursuant to section 43(3)(b) of the *Residential Tenancies Act*, the respondent shall not disturb other tenants in the future.

DATED at the City of Yellowknife, in the Northwest Territories this 22nd day of September, 2003.

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Hal Logsdon  
Rental Officer

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Applicant/Landlord

-and-

**DARLENE ROSS**

Respondent/Tenant

**REASONS FOR DECISION**

**Date of the Hearing:** September 22, 2003

**Place of the Hearing:** Hay River, NT via teleconference

**Appearances at Hearing:** Christine Smith, representing the applicant  
Roger Morrison, representing the applicant  
Darlene Ross, respondent

**Date of Decision:** September 22, 2003

**REASONS FOR DECISION**

The applicant served a notice of early termination on the respondent seeking vacant possession of the premises on August 18, 2003 and filed an application to a rental officer. The respondent did not vacate the premises. The applicant testified that since the application was filed there had been no further disturbance. The applicant withdrew the request for an order terminating the tenancy agreement in favour of an order requiring the respondent to not disturb other tenants in the future.

The applicant provided copies of notices served on the respondent alleging incidents of disturbance. The respondent did not dispute the allegations.

I find the respondent has breached the tenancy agreement by disturbing other tenants' quiet enjoyment of the rental premises. An order shall be issued requiring the respondent to not disturb other tenants in the future.

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Hal Logsdon  
Rental Officer