

IN THE MATTER between **HAY RIVER HOUSING AUTHORITY**, Applicant, and **GEORGE BLOOMSTRAND**, 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 -

GEORGE BLOOMSTRAND

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 302, 46 Woodland Drive, Hay River, NT shall be terminated on January 31, 2005 and the respondent shall vacate the premises on that date.

DATED at the City of Yellowknife, in the Northwest Territories this 20th day of January, 2005.

Hal Logsdon
Rental Officer

IN THE MATTER between **HAY RIVER HOUSING AUTHORITY**, Applicant, and **GEORGE BLOOMSTRAND**, 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.

BETWEEN:

HAY RIVER HOUSING AUTHORITY

Applicant/Landlord

-and-

GEORGE BLOOMSTRAND

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: January 20, 2005

Place of the Hearing: Hay River, NT via teleconference

Appearances at Hearing: Christine Smith, representing the applicant

Date of Decision: January 20, 2005

REASONS FOR DECISION

The respondent was served with a Notice of Attendance by registered mail which was confirmed delivered. The respondent failed to appear at the hearing and the matter was heard in his absence.

The applicant alleged that the respondent had repeatedly disturbed other tenants' quiet enjoyment of the premises and sought an order terminating the tenancy agreement.

The applicant provided six file notes outlining disturbances caused by the respondent between November 2, 2004 and January 17, 2005. The respondent was served with three notices advising him of the disturbances. On December 7, 2004 the respondent was served with a notice of early termination requesting vacant possession of the premises on December 17, 2004. The respondent has remained in possession.

File notes indicate that other tenants have complained about the disturbances which have, for the most part, been loud noisy parties. It appears that the notices have had little effect on reducing the frequency or severity of the disturbances. In my opinion, there is only one remaining remedy to ensure that other tenants in the complex enjoy peace and quiet.

An order shall issue terminating the tenancy agreement between the parties on January 31, 2005.

The respondent shall vacate the premises on that date.

Hal Logsdon
Rental Officer