

IN THE MATTER between **G.B.H. HOLDINGS LTD.**, Applicant, and **JAMES GORDON**, 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 **INUVIK, NT.**

BETWEEN:

G.B.H. HOLDINGS LTD.

Applicant/Landlord

- and -

JAMES GORDON

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 18, 40 Tununuk Place, Inuvik, NT shall be terminated on November 21, 2008 and the respondent shall vacate the premises on that date.

DATED at the City of Yellowknife, in the Northwest Territories this 12th day of November, 2008.

Hal Logsdon
Rental Officer

IN THE MATTER between **G.B.H. HOLDINGS LTD.**, Applicant, and **JAMES GORDON**, 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:

G.B.H. HOLDINGS LTD.

Applicant/Landlord

-and-

JAMES GORDON

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: November 12, 2008

Place of the Hearing: Inuvik, NT via teleconference

Appearances at Hearing: Lois Kathrens, representing the applicant

Date of Decision: November 12, 2008

REASONS FOR DECISION

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

The applicant alleged that the respondent had breached the tenancy agreement by repeatedly disturbing other tenants in the residential complex. The applicant sought an order terminating the tenancy agreement between the parties.

The applicant provided notices and file notes outlining seven instances of disturbance between July 1, 2008 and October 21, 2008. Most involved loud music, banging on doors and drunkenness. The applicant stated that she had received numerous complaints from other tenants in the building about noise and the constant smell of marijuana from the respondent's apartment. Three written notices have been served on the respondent seeking early termination of the tenancy agreement. The respondent has remained in possession of the premises.

I find the respondent in breach of his obligation to not disturb other tenants. In my opinion, there are sufficient grounds to terminate this tenancy agreement. The respondent has been repeatedly warned about the disturbances and has continued to act in a manner that disturbs his neighbours.

An order shall issue terminating the tenancy agreement on November 21, 2008 and requiring the respondent to vacate the premises on that date.

Hal Logsdon
Rental Officer