

IN THE MATTER between **HAY RIVER MOBILE HOME PARK LTD.**, Applicant,  
and **BRANDON BUGGINS**, 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 MOBILE HOME PARK LTD.**

Applicant/Landlord

- and -

**BRANDON BUGGINS**

Respondent/Tenant

**ORDER**

IT IS HEREBY ORDERED:

1. Pursuant to sections 43(3)(a) and 43(3)(b) of the *Residential Tenancies Act*, the respondent shall comply with his obligation to not disturb other tenants in the mobile home park and shall not create any disturbances in the future.

DATED at the City of Yellowknife, in the Northwest Territories this 4th day of January,  
2010.

---

Hal Logsdon  
Rental Officer

IN THE MATTER between **HAY RIVER MOBILE HOME PARK LTD.**, Applicant,  
and **BRANDON BUGGINS**, 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 MOBILE HOME PARK LTD.**

Applicant/Landlord

-and-

**BRANDON BUGGINS**

Respondent/Tenant

**REASONS FOR DECISION**

**Date of the Hearing:** January 4, 2010

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

**Appearances at Hearing:** Michelle Schaub, representing the applicant

**Date of Decision:** January 4, 2010

**REASONS FOR DECISION**

The applicant was served with a Notice of Attendance sent by registered mail. The respondent was notified on December 14, 2009 that the registered mail was available to pick up but has not, to date, picked up the notice. The rental officer attempted to contact the respondent by phone on December 22, 2009 and again on January 4, 2010 but there was no answer. In my opinion, it is reasonable to deem the Notice of Attendance served in accordance with section 71(2) of the *Residential Tenancies Act*, considering the remedies requested by the applicant. Therefore the hearing proceeded in the absence of the respondent.

The applicant alleged that the respondent had breached the tenancy agreement by repeatedly disturbing other tenants. The rental premises consist of a lot in a mobile home park. The applicant provided a written complaint from another tenant in the mobile home park regarding loud music on several occasions. The complaint outlines that the police were called on several occasions. The applicant stated that she had direct knowledge of one incident on November 7, 2009 when she observed a loud party in progress during her nightly check of the mobile home park.

I am satisfied on the evidence that the respondent has breached his obligation to not disturb other tenants in the mobile home park. An order shall issue requiring the respondent to comply with his obligation to not disturb other tenants and to not create any disturbances in the mobile home park in the future.

---

Hal Logsdon  
Rental Officer