

IN THE MATTER between **YELLOWKNIFE HOUSING AUTHORITY**, Applicant,  
and **DENISE JUDAS**, 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:

**YELLOWKNIFE HOUSING AUTHORITY**

Applicant/Landlord

- and -

**DENISE JUDAS**

Respondent/Tenant

**ORDER**

IT IS HEREBY ORDERED:

1. Pursuant to sections 45(4)(a) and 45(4)(b) of the *Residential Tenancies Act*, the respondent shall comply with her obligation to immediately report any problems with the smoke detectors to the landlord and to not disable the smoke detectors in the premises again.

DATED at the City of Yellowknife, in the Northwest Territories this 3rd day of June,  
2010.

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Hal Logsdon  
Rental Officer

IN THE MATTER between **YELLOWKNIFE HOUSING AUTHORITY**, Applicant,  
and **DENISE JUDAS**, 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:

**YELLOWKNIFE HOUSING AUTHORITY**

Applicant/Landlord

-and-

**DENISE JUDAS**

Respondent/Tenant

**REASONS FOR DECISION**

**Date of the Hearing:** May 26, 2010

**Place of the Hearing:** Yellowknife, NT

**Appearances at Hearing:** Jim White, representing the applicant  
Denise Judas, respondent  
Arlene Hache, representing the respondent

**Date of Decision:** May 26, 2010

### **REASONS FOR DECISION**

The applicant alleged that the safety of other tenants of the residential complex had been seriously impaired because the respondent had disconnected the smoke detector. The applicant served a Notice of Early Termination on the respondent on April 29, 2010 pursuant to section 54(1)(f) of the *Residential Tenancies Act* seeking vacant possession on May 10, 2010. The application was filed on May 3, 2010. The applicant sought an order terminating the tenancy agreement.

The applicant stated the importance of smoke detectors and the increased risk to property and persons should they be disabled. The applicant provided several newsletters circulated to tenants warning that the disconnection of smoke detectors would result in the immediate termination of the tenancy agreement. The applicant argued that the tenants had been adequately warned and noted that out of 29 units inspected recently, 4 were found to have smoke detectors disabled by the tenant. The applicant stated that they had to ensure that these important safety devices were not disabled.

The respondent did not dispute the allegations but her representative noted that the respondent was unable to read and did not fully understand the seriousness of her actions or the possible consequences. The respondent's representative stated that the respondent now understands her obligation to not disconnect the smoke detector and will not do it again.

The applicant withdrew their request for termination of the tenancy agreement in favour of an order requiring the respondent to comply with her obligation to not disable the smoke detector and to not disconnect it again.

An order will issue requiring the respondent to comply with her obligation to immediately report any problems with the smoke detectors to the landlord and to not disable the smoke detectors in the premises again.

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Hal Logsdon  
Rental Officer