

IN THE MATTER between **YELLOWKNIFE HOUSING AUTHORITY**, Applicant,  
and **LISA ENZOE AND DAN CLARKE**, Respondents;

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 -

**LISA ENZOE AND DAN CLARKE**

Respondents/Tenants

**ORDER**

IT IS HEREBY ORDERED:

1. The application is dismissed.

DATED at the City of Yellowknife, in the Northwest Territories this 2nd day of June,  
2010.

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Hal Logsdon  
Rental Officer

IN THE MATTER between **YELLOWKNIFE HOUSING AUTHORITY**, Applicant,  
and **LISA ENZOE AND DAN CLARKE**, Respondents.

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-

**LISA ENZOE AND DAN CLARKE**

Respondents/Tenants

**REASONS FOR DECISION**

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

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

**Appearances at Hearing:** Jim White, representing the applicant  
Lisa Enzoe, respondent  
Dan Clarke, respondent

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

**REASONS FOR DECISION**

The applicant served the respondents a Notice of Early Termination on April 29, 2010 seeking possession of premises on May 10, 2010. The application was filed on May 3, 2010. The applicant alleged that the respondents had disconnected the smoke detector in the premises endangering the safety of other tenants in the residential complex and sought an order terminating the tenancy agreement.

The respondents disputed the allegation stating that the smoke detector had not been disabled and had always been in working order. The respondents stated that the smoke detector had been dislodged from it's mounting on the ceiling during a party which was held in the suite upstairs, however the device continues to operate normally. The respondents stated that they had not reported the matter to the landlord.

The applicant's representative did not have direct knowledge of the condition of the smoke detector and could not state if the device was still in working order. In my opinion, the evidence provided by the applicant does not support their allegations. The application is therefore dismissed.

I will note however, that the respondents should have reported the condition of the smoke detector to the landlord after it was knocked from it's mounting. The landlord would then have been obligated to repair the device.

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Hal Logsdon  
Rental Officer