

IN THE MATTER between **NPR LIMITED PARTNERSHIP**, Applicant, and
DARRYL COOK, Respondent;

AND IN THE MATTER of the **Residential Tenancies Act** R.S.N.W.T. 1988, Chapter
R-5 (the "Act") and amendments thereto;

AND IN THE MATTER of a Hearing before, **HAL LOGSDON**, Rental Officer,
regarding the rental premises at **YELLOWKNIFE, NT**.

BETWEEN:

NPR LIMITED PARTNERSHIP

Applicant/Landlord

- and -

DARRYL COOK

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 207, 5001 52 Avenue, Yellowknife, NT shall be terminated on April 30, 2011 and the respondent shall vacate the premises on that date.

DATED at the City of Yellowknife, in the Northwest Territories this 14th day of April,
2011.

Hal Logsdon
Rental Officer

IN THE MATTER between **NPR LIMITED PARTNERSHIP**, Applicant, and
DARRYL COOK, 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:

NPR LIMITED PARTNERSHIP

Applicant/Landlord

-and-

DARRYL COOK

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: April 13, 2011

Place of the Hearing: Yellowknife, NT

Appearances at Hearing: Maigan Lefrancois, representing the applicant

Date of Decision: April 13, 2011

REASONS FOR DECISION

The respondent was personally served with a Notice of Attendance but failed to appear at the hearing. 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 and evicting the respondent.

The applicant provided numerous written complaints from other tenants in the residential complex concerning disturbances in November and December, 2010. Notices were sent to the respondent in both of those months noting the disturbances and warning the respondent of the consequences if it continued. Another complaint was received in February, 2011 and a final warning notice served on the respondent. The applicant stated that disturbances continue to occur. The applicant also noted that the respondent had given notice to terminate the tenancy agreement effective April 30, 2011.

I find the respondent in breach of his obligation to not disturb other tenants in the residential complex. In my opinion, there are sufficient grounds to terminate the tenancy. Although the respondent has provided notice, it was not available at the hearing and I am unable to determine if it meets the requirements for notice set out in the *Residential Tenancies Act*. For that reason, I do not think it is unreasonable to terminate the tenancy agreement by order.

An order shall issue terminating the tenancy agreement on April 30, 2011. An eviction order shall be issued separately.

Hal Logsdon
Rental Officer