

IN THE MATTER between **FORT PROVIDENCE HOUSING ASSOCIATION**,
Applicant, and **LESTER ANTOINE AND LEONIE LAFFERTY**, Respondents;

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 **FORT PROVIDENCE NT.**

BETWEEN:

FORT PROVIDENCE HOUSING ASSOCIATION

Applicant/Landlord

- and -

LESTER ANTOINE AND LEONIE LAFFERTY

Respondents/Tenants

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to sections 46(2)(a) and 46(2)(b) of the *Residential Tenancies Act*, the respondents shall comply with their obligation to not carry on any illegal activities on the rental premises and not breach that obligation again.

DATED at the City of Yellowknife, in the Northwest Territories this 3rd day of June,
2011.

Hal Logsdon
Rental Officer

IN THE MATTER between **FORT PROVIDENCE HOUSING ASSOCIATION**,
Applicant, and **LESTER ANTOINE AND LEONIE LAFFERTY**, 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:

FORT PROVIDENCE HOUSING ASSOCIATION

Applicant/Landlord

-and-

LESTER ANTOINE AND LEONIE LAFFERTY

Respondents/Tenants

REASONS FOR DECISION

<u>Date of the Hearing:</u>	June 3, 2011
<u>Place of the Hearing:</u>	Fort Providence, NT via teleconference
<u>Appearances at Hearing:</u>	Rose Vandell, representing the applicant Lester Antoine, respondent Leonie Lafferty, respondent
<u>Date of Decision:</u>	June 3, 2011

REASONS FOR DECISION

The applicant alleged that the respondents had breached the tenancy agreement by carrying on an illegal activity on the rental premises and sought an order terminating the tenancy agreement. The premises are subsidized public housing.

The applicant stated that Ms Lafferty was convicted of violating the Liquor Act by selling liquor. The applicant stated that the offence occurred on the rental premises. A document outlining the charges, plea, disposition and sentence was provided in evidence. The document indicates that Ms Lafferty entered a guilty plea to one count and was sentenced for the offence.

Ms Lafferty provided a written statement acknowledging her guilt but requesting that her tenancy be permitted to continue. She outlined the positive steps she had taken since the incident to improve her lifestyle and free herself from dependancy on alcohol. The applicant stated that she had seen a positive change in Ms Lafferty and Mr. Antoine since the incident and did not believe they would re-offend in the future. There have been no other issues with the respondents' tenancy.

In my opinion, termination of the tenancy agreement is not the most appropriate remedy. It appears that the respondents have taken the matter seriously and will not re-offend. Sections 46(2)(a) and 46(2)(b) offer other remedies that seem more appropriate to the circumstances.

A order shall issue requiring the respondents to comply with their obligation to not carry on any illegal activities on the rental premises and not breach that obligation again.

Hal Logsdon
Rental Officer