

IN THE MATTER between **YELLOWKNIVES DENE FIRST NATION HOUSING DIVISION**, Applicant, and **WILLIAM LISKE**, 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 **NDILO, NT**.

BETWEEN:

YELLOWKNIVES DENE FIRST NATION HOUSING DIVISION

Applicant/Landlord

- and -

WILLIAM LISKE

Respondent/Tenant

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to section 41(4)(a) of the *Residential Tenancies Act*, the respondent shall pay the applicant rent arrears in the amount of one hundred thirty six dollars and twenty three cents (\$136.23).
2. Pursuant to sections 43(3)(d) and 41(4)(c) of the *Residential Tenancies Act*, the tenancy agreement between the parties for the premises known as #5, Ndilo Senior Home (David Sangris Elders Home), Ndilo, NT shall be terminated on January 3, 2012 and the respondent shall vacate the premises on that date.

DATED at the City of Yellowknife, in the Northwest Territories this 16th day of December, 2011.

Hal Logsdon
Rental Officer

IN THE MATTER between **YELLOWKNIVES DENE FIRST NATION HOUSING DIVISION**, Applicant, and **WILLIAM LISKE**, 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:

YELLOWKNIVES DENE FIRST NATION HOUSING DIVISION

Applicant/Landlord

-and-

WILLIAM LISKE

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: December 14, 2011

Place of the Hearing: Yellowknife, NT

Appearances at Hearing: Rose Black, representing the applicant

Date of Decision: December 14, 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 failing to pay rent and by repeatedly disturbing other tenants in the residential complex. The premises are subsidized public housing.

The applicant stated that as a senior citizen, the respondent paid only a monthly charge for electricity. The applicant provided a ledger in evidence which indicated a balance owing of \$136.23. The ledger indicates that no payments have been made since May, 2011.

The applicant also provided a list of complaints received from other tenants in the residential complex and from tenants living in adjoining units. There have been twelve complaints since September, 2011. The applicant stated that she has attended the premises on several occasions and has direct knowledge of some of the incidents. The complaints are all related to loud parties with excessive drinking. The residential complex is a five unit seniors home. Numerous notices and verbal warnings have been issued concerning the disturbances but it does not appear that they have had any effect in eliminating the disturbances.

I find the respondent in breach of his obligation to not disturb other tenants and his obligation to

pay rent. I find the rent arrears to be \$136.23. In my opinion there are sufficient grounds to terminate the tenancy agreement.

An order shall issue requiring the respondent to pay the applicant rent arrears of \$136.23 and terminating the tenancy agreement on January 3, 2012. An eviction order to become effective on January 4, 2012 shall issue separately.

Hal Logsdon
Rental Officer