

IN THE MATTER between **FORT SIMPSON HOUSING AUTHORITY**, Applicant,
and **AUDREY ANTOINE AND SHARON CORNEILLE**, 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 SIMPSON, NT.**

BETWEEN:

FORT SIMPSON HOUSING AUTHORITY

Applicant/Landlord

- and -

AUDREY ANTOINE AND SHARON CORNEILLE

Respondents/Tenants

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to section 43(3)(a) of the *Residential Tenancies Act*, the respondents shall comply with their obligation to not disturb each other's quiet enjoyment of the rental premises.

DATED at the City of Yellowknife, in the Northwest Territories this 25th day of April,
2012.

Hal Logsdon
Rental Officer

IN THE MATTER between **FORT SIMPSON HOUSING AUTHORITY**, Applicant,
and **AUDREY ANTOINE AND SHARON CORNEILLE**, 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 SIMPSON HOUSING AUTHORITY

Applicant/Landlord

-and-

AUDREY ANTOINE AND SHARON CORNEILLE

Respondents/Tenants

REASONS FOR DECISION

Date of the Hearing: April 17, 2012

Place of the Hearing: Yellowknife, NT via teleconference

Appearances at Hearing: Karen Douglas, representing the applicant
Sharon Corneille, respondent
Audrey Antoine, respondent

Date of Decision: April 17, 2012

REASONS FOR DECISION

Ms Corneille initiated these two applications when she filed a complaint with the rental officer, stating that she was being disturbed by her neighbour, Ms Antoine. Ms Corneille had previously made complaints to the landlord but submitted that the landlord had not taken reasonable action to resolve the complaints. Pursuant to section 44(3) of the *Residential Tenancies Act*, I contacted the landlord and inquired about the nature of the complaints and the actions taken to resolve the issue.

The landlord advised that both parties have been complaining about each other for a long period of time and in her opinion, the conflict between them is one of personalities rather than one based on any legitimate complaints of disturbance. In the opinion of the landlord, the actual complaints were frivolous but both parties had become a nuisance to each other and the landlord by their constant bickering. For those reasons, the landlord decided to file an application against both tenants. The landlord stated that both tenants required the assistance provided by public housing. In the landlord's opinion, the most effective remedy would be to allocate one of the parties a different unit but noted that there are no units that are immediately available.

I decided to hear both matters at a common hearing and gave both tenants an opportunity to speak to the matter at length. The tenants outlined a number of incidents they found disturbing. After hearing this testimony, I must agree with the landlord that the complaints are quite trivial; leaving notes on the windshield regarding using the proper parking stall, walking around in the apartment with shoes on and doing laundry in the apartment too late at night were among the

complaints. The volume of complaints, however, made it clear to me that the tenants were making life miserable for each other over petty issues. The tenants acknowledged that they had known each other for some time and had never gotten along well. It is significant that the landlord has not had any complaints about either tenant from the other two tenants in the building.

I agree with the landlord that the relocation of one of the tenants to another housing unit in the portfolio would be an excellent solution but I have no jurisdiction in that decision. It remains with the Board of Directors of the Fort Simpson Housing Authority to consider that matter.

I do agree that the persistent complaints constitute a disturbance of each other and the landlord and shall issue an order for both tenants to comply with their obligation to not disturb each other or the landlord.

Hal Logsdon
Rental Officer