

IN THE MATTER between **YELLOWKNIVES DENE FIRST NATION HOUSING DIVISION**, Applicant, and **BEN GOULET AND SUZANNE GOULET**, 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 **NDILO, NT**.

BETWEEN:

**YELLOWKNIVES DENE FIRST NATION HOUSING DIVISION**

Applicant/Landlord

- and -

**BEN GOULET AND SUZANNE GOULET**

Respondents/Tenants

**ORDER**

IT IS HEREBY ORDERED:

1. Pursuant to section 41(4)(a) of the *Residential Tenancies Act*, the respondent Ben Goulet shall pay the applicant rent arrears in the amount of forty six thousand one hundred sixty nine dollars and ninety six cents (\$46,169.96).
2. Pursuant to section 43(3)(a) and 43(3)(b) of the *Residential Tenancies Act*, the respondent Ben Goulet shall comply with his obligation to not disturb other tenants and shall not breach that obligation again.
3. Pursuant to section 41(4)(c) and 83(2) of the *Residential Tenancies Act*, the tenancy agreement between the parties for the premises known as Sikyea Apartments #5, Ndilo,

NT shall be terminated on October 30, 2012 and the respondent Ben Goulet and all other occupants shall vacate the premises on that date, unless rent arrears in the amount of sixty five thousand nine hundred seventy one dollars and ninety nine cents (\$65,971.99) are paid in full.

DATED at the City of Yellowknife, in the Northwest Territories this 26th day of July,  
2012.

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Hal Logsdon  
Rental Officer

IN THE MATTER between **YELLOWKNIVES DENE FIRST NATION HOUSING DIVISION**, Applicant, and **BEN GOULET AND SUZANNE GOULET**, 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:

**YELLOWKNIVES DENE FIRST NATION HOUSING DIVISION**

Applicant/Landlord

-and-

**BEN GOULET AND SUZANNE GOULET**

Respondents/Tenants

**REASONS FOR DECISION**

**Date of the Hearing:** July 25, 2012

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

**Appearances at Hearing:** Rose Black, representing the applicant

**Date of Decision:** July 25, 2012

**REASONS FOR DECISION**

The respondents were personally served with Notices of Attendance but failed to appear at the hearing. The hearing was held in their absence.

The applicant alleged that the respondents had breached the tenancy agreement by failing to pay rent and by repeatedly disturbing other tenants in the residential complex. The applicant sought an order requiring the respondents to comply with their obligation to not disturb other tenants, to pay the alleged rent arrears and terminating the tenancy agreement and evicting the respondents unless the rent arrears were paid.

The application named Ben and Suzanne Goulet as respondents but the tenancy agreement names only Ben Goulet as tenant. Therefore any order made shall be against Ben Goulet as sole tenant.

The applicant provided a copy of the tenant ledger in evidence which indicated a balance of rent owing in the amount of \$65,971.99. The applicant also provided numerous notices and notes to file outlining incidents of disturbance reported by other tenants between August, 2009 and April, 2012. The disturbances mainly consist of loud parties held at all hours.

A previous order (file #10-11416, filed on May 5, 2010) required Ben Goulet to pay the applicant rent arrears of \$65,402.03. Since that order was issued, the respondent has paid a total of \$45,600 leaving an unsatisfied balance of \$19,802.03.

I find the respondent Ben Goulet in breach of his obligation to not disturb other tenants and his obligation to pay rent. I find the rent arrears to be \$65,971.99. Taking into consideration the unsatisfied portion of the previous order, an order for additional rent arrears of \$46,169.96 shall issue.

Balance as per ledger	\$65,971.99
Less unsatisfied balance	<u>(19,802.03)</u>
Total	\$46,169.96

The order shall also require the respondent Ben Goulet to comply with his obligation to not disturb other tenants and to not create any disturbances again. The order shall terminate the tenancy agreement on October 30, 2012 unless the rent arrears of \$65,971.99 are paid in full. This amount includes the unsatisfied portion of the previous order plus the new arrears which have accrued since the issuance of the previous order. An eviction order to be effective on October 31, 2012 unless the rent arrears of \$65,971.99 are paid on or before October 30, 2012 shall be issued separately.

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Hal Logsdon  
Rental Officer