

IN THE MATTER between **YELLOWKNIVES DENE FIRST NATION HOUSING DIVISION**, Applicant, and **SHANNON BETSINA**, 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 -

**SHANNON BETSINA**

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 five thousand six hundred eighty five dollars and thirty three cents (\$5685.33).
2. Pursuant to sections 41(4)(c) and 43(3)(d) of the *Residential Tenancies Act*, the tenancy agreement between the parties for the premises known as Sikyea Apartment #2, Ndilo, NT shall be terminated on April 18, 2013 and the respondent shall vacate the premises on that date.

DATED at the City of Yellowknife, in the Northwest Territories this 4th day of April, 2013.

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Hal Logsdon  
Rental Officer

IN THE MATTER between **YELLOWKNIVES DENE FIRST NATION HOUSING DIVISION**, Applicant, and **SHANNON BETSINA**, 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 NATIONS HOUSING DIVISION**

Applicant/Landlord

-and-

**SHANNON BETSINA**

Respondent/Tenant

**REASONS FOR DECISION**

**Date of the Hearing:** April 3, 2013

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

**Appearances at Hearing:** Natasha Landry, representing the applicant  
Stephan Folkers, representing the applicant  
Shannon Betsina, respondent

**Date of Decision:** April 4, 2013

**REASONS FOR DECISION**

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 applicant sought an order requiring the respondent to pay the alleged rent arrears and terminating the tenancy agreement and evicting the respondent. The premises are subsidized public housing.

The applicant provided numerous file notes recording complaints that have been received from other tenants about disturbances at the respondent's apartment. The applicant also provided notices that had been sent to the tenant regarding the disturbances and warning her that continued disturbances would result in the termination of the tenancy agreement.

The applicant provided copies of the tenant ledger in evidence which indicated a balance of rent owing in the amount of \$5685.33. The applicant stated that all of the rent had been calculated on the household income of the respondent.

The respondent did not dispute the rent arrears. She also stated that she had spoken to some other tenants in the building who did not agree with the landlord's allegations regarding the alleged disturbance.

A previous order (file #10-11808, filed on January 19, 2011) required the respondent to pay rent arrears and to not breach her obligation to not disturb other tenants again. The rent arrears have

been paid.

While there may be some tenants in the ten-unit apartment who are not disturbed by the parties and loud music created by the respondent, there is more than one who would disagree. Given the number of complaints, it is hard to accept that the respondent's neighbours enjoy a reasonable amount of peace and quiet. In the respondent's favour, the applicant acknowledged that there have not been any complaints since early March. However, the respondent has been repeatedly warned by the landlord and ordered by a rental officer to not disturb again, without effect.

I find the respondent in breach of her obligation to pay rent, and in breach of the previous order to not disturb other tenants. I find the rent arrears to be \$5685.33. 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 \$5685.33 and terminating the tenancy agreement on April 18, 2013. An eviction order to be effective on April 19, 2013 shall be issued separately.

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Hal Logsdon  
Rental Officer