

IN THE MATTER between **SONYA REY**, Applicant, and **NPR LIMITED PARTNERSHIP**, 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 **YELLOWKNIFE, NT**.

BETWEEN:

SONYA REY

Applicant/Tenant

- and -

NPR LIMITED PARTNERSHIP

Respondent/Landlord

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to section 28(a) of the *Residential Tenancies Act*, the respondent shall comply with the requirements for entry pursuant to sections 26 and 27 of the Act and shall not breach those obligations again.

DATED at the City of Yellowknife, in the Northwest Territories this 16th day of July, 2013.

Hal Logsdon
Rental Officer

IN THE MATTER between **SONYA REY**, Applicant, and **NPR LIMITED PARTNERSHIP**, 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:

SONYA REY

Applicant/Tenant

-and-

NPR LIMITED PARTNERSHIP

Respondent/Landlord

REASONS FOR DECISION

Date of the Hearing: July 5, 2013

Place of the Hearing: Yellowknife, NT

Appearances at Hearing: Sonya Rey, applicant
Meagan Lefrancois, representing the respondent

Date of Decision: July 5, 2013

REASONS FOR DECISION

The applicant alleged that the respondent's contractor entered her apartment without notice or permission. The applicant sought an order requiring the respondent to comply with the requirements regarding the landlord's entry contained in sections 26 and 27 of the *Residential Tenancies Act* and to not breach those obligations again.

The applicant testified that she was awakened by a noise in her apartment in the afternoon of April 30, 2013. She stated that her door was locked. The applicant stated that she discovered a man, unknown to her, walking around her apartment. She asked him who he was and how he got into her apartment. She stated that he told her that he was a repairman and had been sent to the apartment by the respondent to repair the washing machine. She told him to leave and he complied. The applicant stated that she had not reported any problem with the washing machine to the landlord.

The respondent did not dispute the allegations. She acknowledged that the repairman was a serviceman who had been contracted by the landlord. The respondent stated that the repairman had mistakenly entered the wrong apartment to undertake a repair of a washing machine. The respondent apologized to the applicant and agreed to phone her for permission to enter the premises in the future due to the applicant's impaired vision and inability to read written notices.

I find the respondent in breach of their obligation to give notice prior to entering the applicant's

apartment. Although not intentional, the incident was undoubtedly stressful for the applicant. I suggest that initially escorting contractors to the work areas rather than providing them with pass keys would help eliminate such unwanted invasions of privacy.

An order shall issue requiring the respondent to comply with the requirements for entry pursuant to sections 26 and 27 of the Act and to not breach those obligations again.

Hal Logsdon
Rental Officer