

IN THE MATTER between **NPR LIMITED PARTNERSHIP**, Applicant, and
ALEXANDRIA RENA ELANIK AND NORMAN DAY, 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 **INUVIK, NT**.

BETWEEN:

NPR LIMITED PARTNERSHIP

Applicant/Landlord

- and -

ALEXANDRIA RENA ELANIK AND NORMAN DAY

Respondents/Tenants

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to section 43(3)(d) of the *Residential Tenancies Act*, the tenancy agreement between the parties for the premises known as Apartment 28, 20 Tununuk Place, Inuvik, NT shall be terminated on April 15, 2015 and the respondents shall vacate the premises on that date.

DATED at the City of Yellowknife, in the Northwest Territories this 26th day of March,
2015.

Hal Logsdon
Rental Officer

IN THE MATTER between **NPR LIMITED PARTNERSHIP**, Applicant, and
ALEXANDRIA RENA ELANIK AND NORMAN DAY, 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:

NPR LIMITED PARTNERSHIP

Applicant/Landlord

-and-

ALEXANDRIA RENA ELANIK AND NORMAN DAY

Respondents/Tenants

REASONS FOR DECISION

Date of the Hearing: March 25, 2015

Place of the Hearing: Inuvik, NT via teleconference

Appearances at Hearing: Bright Lubansa, representing the applicant
Aru Vashisht, representing the applicant
Alexandria Elanik, respondent
Norman Day, respondent

Date of Decision: March 25, 2015

REASONS FOR DECISION

The applicant alleged that the respondents had breached the tenancy agreement by repeatedly disturbing other tenants in the residential complex. The applicant sought an order terminating the tenancy agreement and evicting the respondents.

The applicant provided five reports outlining incidents of disturbance from January 8, 2014 to August 22, 2014. In addition, the applicant testified that another complaint had been received regarding a disturbance on November 14, 2014. The applicant stated that the most recent incident of disturbance occurred on January 22, 2015 when the police were called. The applicant stated that more than one tenant in the residential complex had complained about the disturbances which involved loud parties and fighting. One incident involved the respondents' guest who broke a window by the main entrance to the building. The respondents subsequently paid for the repair.

The applicant provided a notice dated May 13, 2014 warning the respondents that any further disturbance could result in the termination of the tenancy agreement. The applicant stated that they had provided verbal warnings to the respondents on several other occasions.

The respondents disputed the disturbance allegation which allegedly occurred on January 22, 2015 stating that they were at Ms Elanik's father's house until 11:00 PM. They acknowledged the other reported disturbances. The applicant stated that most of the reported disturbances

occurred after 11:00 PM.

I find the respondents in breach of their obligation to not disturb other tenants in the residential complex. In my opinion, there are sufficient grounds to terminate the tenancy agreement. An order shall issue terminating the tenancy agreement on April 15, 2015. An eviction order to be effective on April 16, 2015 shall be issued separately.

Hal Logsdon
Rental Officer