



**Order under Section 78(11)
Residential Tenancies Act, 2006**

File Number: LTB-L-087769-25-SA

In the matter of: 104, 256 MOHAWK RD E
HAMILTON ON L9A2H8

Between: The Effort Trust Company Landlord

And

Grant Somerville Tenant

The Effort Trust Company (the 'Landlord') applied for an order to terminate the tenancy and evict Grant Somerville (the 'Tenant') because the Tenant did not meet a condition specified in the order issued by the LTB on October 10, 2025 with respect to application LTB-L-018149-25-RV.

The Landlord's application was resolved by order LTB-L-087769-25, issued on October 28, 2025. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-087769-25.

This motion was heard by videoconference on December 18, 2025. The Landlord's representatives Kimberley Holleran and Lisa Oakes, and the Tenant, attended the hearing.

Determinations:

1. At a hearing on October 1, 2025, the Landlord consented to an order providing relief from eviction on the condition the Tenant does not play loud music, not carry open alcohol in the common areas, that the Tenant was not to bang or slam door of other tenants, that the Tenant not deny entry to the Landlord, prepare for pest control, and adhere to notices placed in the common areas.
2. On October 3, 2025, the tenant in unit 107 reported that the Tenant was pounding on their unit door and yelling through the mail slot of the neighbour's unit. The wife of the neighbour and their two daughters called her husband who was not home. He called another neighbour who came to the 1st floor for protection.
3. The Landlord contacted the Tenant's contact person who did not want to help.
4. The Tenant denies the allegations. The Tenant testified that he is a victim of crime and that he has an impersonator and stalker who is perpetrating attacks against him. It is the

Tenant's position that this is a police matter. The Tenant also testified that it won't happen again.

5. The Landlord submits that other tenants are living in fear due to the Tenant's actions.
6. I find on a balance of probabilities, that the Tenant breaches the condition of the order to not bang or slam on other tenants' doors. This behaviour is substantially interfering with the reasonable enjoyment of other tenants.
7. After considering all of the circumstances, I find that it would be unfair to set aside order LTB-L-087769-25.
8. The Tenant testified that he is in alcoholics anonymous and is bipolar. I find appropriate to provide the Tenant additional time to find support to relocation. The stay will be lifted on January 31, 2026.

It is ordered that:

1. The motion to set aside Order LTB-L-087769-25, issued on October 28, 2025, is denied.
2. The stay of order LTB-L-087769-25 is lifted on January 31, 2026.
3. Order LTB-L-087769-25 is unchanged.

January 9, 2026

Date Issued

Greg Joy

Member, Landlord and Tenant Board

15 Grosvenor Street, Ground Floor
Toronto ON M7A 2G6

If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.

