



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

File Number: LTB-L-078629-25-SA

In the matter of: 102, 200 THE PARKWAY
KINGSTON ON K7M3E6

Between: Homestead Land Holdings Limited Landlord

And

Alisha Morey-Lynch Tenant

Homestead Land Holdings Limited (the 'Landlord') applied for an order to terminate the tenancy and evict Alisha Morey-Lynch (the 'Tenant') because the Tenant did not meet a condition specified in the order issued by the LTB on March 27, 2025 with respect to application LTB-L-084617-24.

The Landlord's application was resolved by order LTB-L-078629-25, issued on September 26, 2025. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-078629-25.

This motion was heard by videoconference on December 22, 2025. The Landlord's representative Jessica Shanani, and the Tenant, attended the hearing. Also in attendance as witnesses for the Landlord were Property Manager Madeline Medeiros and Office Administrator Vicky Bailey.

Determinations:

1. At a hearing on March 24, 2025, the Tenant, represented by William Florence from the Kingston Legal Clinic, consented to an order granting relief from eviction on the condition the Tenant refrains from using abusive language toward staff, and would cease excessive yelling from her rental unit which would substantially interfere with the Landlord's reasonable enjoyment.
2. The Landlord introduced an incident report dated May 21, 2025 referencing the Tenant from Ms. Bailey that states "She's a fat f_king c_nt, go ahead and kick me out Madeline I'll sue you, fat c_nt. And much more.
3. Additional reports dated September 8th, October 30th, November 10th, and November 15th, by Ms. Bailey and Ms. Medeiros demonstrate that the Tenant is continuing to use vulgar

language, while yelling at Ms. Bailey and Ms. Medeiros, using comments like f__king retard, f__king c_nt, going to knock you f__king out.

4. The Tenant's rental unit is located next to the Landlord's office where Ms. Bailey and Ms. Medeiros work. Both testified supporting the contents of the reports.
5. The Tenant's position is that the Landlord has not properly insulated the wall between the office and her unit. The Tenant also questioned if Ms. Bailey or Ms. Medeiros are social workers or whether they have filed official complaints with the police. The Tenant claims that the Landlord is just as much at fault.
6. I find the Tenant continues to use abusive and vulgar language toward staff and continues to yell at and substantially interfere with the reasonable enjoyment of the Landlord's staff's work environment. It find it unlikely that this behaviour will stop. As a result, I find on a balance of probabilities, that the Tenant will continue to substantially interfere with the reasonable enjoyment of the Landlord's staff.
7. After considering all of the circumstances, I find that it would be unfair to set aside order LTB-L-078629-25.

It is ordered that:

1. The motion to set aside Order LTB-L-078629-25, issued on September 26, 2025, is denied.
2. The stay of order LTB-L-078629-25 is lifted immediately.
3. Order LTB-L-078629-25 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.

