



Order under Section 69 Residential Tenancies Act, 2006

Citation: Hastings Local Housing Corporation v Maracle, 2026 ONLTB 3047

Date: 2026-01-13

File Number: LTB-L-076164-25

In the matter of: 88, 59 RUSSELL ST
BELLEVILLE ON K8N5V3

Between: Hastings Local Housing Corporation Landlord

And

Courtney Maracle Tenant

Hastings Local Housing Corporation (the 'Landlord') applied for an order to terminate the tenancy and evict Courtney Maracle (the 'Tenant') because:

- the Tenant or another occupant of the rental unit has committed an illegal act or has carried out, or permitted someone to carry out an illegal trade, business or occupation in the rental unit or the residential complex involving the production of an illegal drug, the trafficking in an illegal drug or the possession of an illegal drug for the purposes of trafficking;
- the Tenant, another occupant of the rental unit or a person the Tenant permitted in the residential complex has seriously impaired the safety of any person and the act or omission occurred in the residential complex.

The Landlord also claimed compensation for each day the Tenant remained in the unit after the termination date.

This application was heard by videoconference on November 24, 2025.

Only the Landlord's agent Christine LeBlanc and Landlord's witnesses Andrew Murray and Averil MacMillan attended the hearing.

As of 11:22 a.m., the Tenant was not present or represented at the hearing although properly served with notice of this hearing by the LTB. There was no record of a request to adjourn the hearing. As a result, the hearing proceeded with only the Landlord's evidence.

Determinations:

1. As explained below, the Landlord has proven on a balance of probabilities the grounds for termination of the tenancy and the claim for compensation in the application. Therefore, the tenancy between the Landlord and the Tenant is terminated effective January 18, 2026.
2. The Tenant was in possession of the rental unit on the date the application was filed.
3. On July 31, 2025, the Landlord gave the Tenant both an N6 notice of termination (Illegal Act) and N7 notice of termination (Serious Impairment of Safety) deemed served August 5, 2025. The notices of termination contain the same allegation: on June 18, 2025, police executed a simultaneous search warrant on two rental units, including the Tenant's, and the Tenant and two guests were arrested inside the rental unit with illegal drugs. The Tenant was charged with possession for the purpose of trafficking cocaine.
4. Andrew Murray (AM) was the property supervisor for the residential complex until June 27, 2025. He testified that the residential complex is a 92-unit townhouse family complex with mostly two-to-five-bedroom units. All the units are Rent Geared to Income (RGI) units.
5. In the past, the Landlord received noise complaints about the Tenant from other tenants. At the end of 2024, tenants complained of high traffic to the rental unit. No written complaints were received because tenants stated they were worried about reprisal. After observing the vehicles at the rental unit on security cameras through January 2025, the Landlord called police in February 2025 and was in contact with police until the search warrant was executed June 18, 2025.
6. AM testified that the rental unit is central in the complex and the impact of the high traffic of strangers to the unit caused people to fear for their safety and stay in after dark. The presence of drugs and possession of weapons are associated, and some tenants moved out of the complex because they feared for their safety.
7. Averil MacMillan is the current property supervisor for the complex and testified that since the warrant was executed in June, there have been more complaints of frequent traffic to the unit and other issues that are not the subject of this application. She is not aware of any further police contact with the rental unit, but she testified that at least one tenant informed her that they were sufficiently concerned about the Tenant that they were moving out of their unit. This is significant because RGI housing units are difficult to obtain and waiting lists are long. The Tenant refuses to communicate with the Landlord.
8. The Tenant has committed an illegal act, trade, business or occupation involving the possession of an illegal drug for the purposes of trafficking in the rental unit. Although criminal charges are not required for a finding that an illegal act was committed, in his case the Landlord's uncontested evidence was that the Tenant was criminally charged with possession for the purpose of trafficking and the Landlord submitted a copy of the court Information with the charges and a sworn affidavit of Detective Constable Tony McCambridge (which details the events of June 18, 2025, the seized items including cocaine, fentanyl, and a taser, and the charges) into evidence.

9. The Tenant has seriously impaired the safety of other tenants in the residential complex by possessing illegal drugs in sufficient quantity that she was charged with possession for the purposes of trafficking. This conduct occurred in the residential complex. Drug trafficking is known to be associated with weapons and violence. The presence of the taser in the rental unit is also concerning because if it had been used outside the rental unit it could have caused injury to an innocent bystander.

Daily compensation, NSF charges, rent deposit

10. The Tenant was required to pay the Landlord \$3,199.40 in daily compensation for use and occupation of the rental unit for the period from September 1, 2025 to November 24, 2025.
11. Based on the monthly rent, the daily compensation is \$37.64. This amount is calculated as follows: \$1,145.00 x 12, divided by 365 days.
12. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
13. There is no last month's rent deposit.

Relief from eviction

14. I have considered all of the disclosed circumstances in accordance with subsection 83(2) of the *Residential Tenancies Act, 2006* (the 'Act'), and find that it would be unfair to grant relief from eviction pursuant to subsection 83(1) of the Act. The Tenant did not attend the hearing and so she did not explain her conduct or circumstances. The Landlord submitted that although the Tenant has children, they were removed from her care by CAS approximately a year ago. The children were not living in the unit at the time of the arrest. The Landlord is not aware of any other circumstances that would cause me to delay or deny eviction.

It is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated. The Tenant must move out of the rental unit on or before January 18, 2026.
2. The Tenant shall pay to the Landlord \$3,199.40, which represents compensation for the use of the unit from September 1, 2025 to November 24, 2025, less any rent paid for this period.
3. The Tenant shall also pay the Landlord compensation of \$37.64 per day for the use of the unit starting November 25, 2025 until the date the Tenant moves out of the unit, less any rent paid for this period.
4. The Tenant shall also pay to the Landlord \$186.00 for the cost of filing the application.
5. The total amount the Tenant must pay the Landlord is \$3,385.40, less any rent paid from September 1, 2025.

6. If the Tenant does not pay the Landlord the full amount owing on or before January 18, 2026, the Tenant will start to owe interest. This will be simple interest calculated from January 19, 2026 at 4.00% annually on the balance outstanding.
7. If the unit is not vacated on or before January 18, 2026, then starting January 19, 2026, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
8. Upon receipt of this order, the Court Enforcement Office (Sheriff) is directed to give vacant possession of the unit to the Landlord on or after January 19, 2026. **The Sherriff is requested to expedite the enforcement of this order.**

January 13, 2026
Date Issued

Margo den Haan
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.

In accordance with section 81 of the Act, the part of this order relating to the eviction of the Tenant expires on July 19, 2026 if the order has not been filed on or before this date with the Court Enforcement Office (Sheriff) that has territorial jurisdiction where the rental unit is located.