



**Order under Section 69
Residential Tenancies Act, 2006**

File Number: LTB-L-082566-23

In the matter of: 105, 6161 Bathurst Street
Toronto Ontario M2R1Z5

Between: 6161 Bathurst Street Landlord

And

Sergiy Shyshov Tenant

6161 Bathurst Street (the 'Landlord') applied for an order to terminate the tenancy and evict Sergiy Shyshov (the 'Tenant') because:

- 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.

This application was heard by videoconference on December 3, 2025.

Only the Landlord's agent, Jeff Burmin, attended the hearing.

As of 1:15 PM 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. On August 11, 2023, the Landlord gave the Tenant an N7 notice of termination. The N7 alleges the Tenant assaulted the site manager for the residential complex on July 17, 2023.
2. The Landlord provided the Board security footage of the incident that took place July 17, 2023.
3. The video evidence shows a physical altercation between the Tenant and the superintendent, during which the Tenant kicked the superintendent. The Landlord testified that police attended following the incident, although no criminal charges were laid.

4. Based on the uncontested evidence before me, including the video recording, I find on a balance of probabilities that the Tenant has seriously impaired the safety Landlord's employee by assaulting him.

Relief from Eviction

5. The Landlord testified that the incident arose from a dispute regarding parking. Since the incident, there have been no further altercations between the parties.
6. Given the circumstances, the Landlord does not seek to terminate the tenancy, rather the Landlord seeks to preserve the tenancy with a conditional order. I find this the Landlord's position to be reasonable. The tenancy shall continue as long as the Tenant complies with the conditions set out below.
7. The Landlord incurred costs of \$201.00 for filing the application and is entitled to reimbursement of those costs.

It is ordered that:

1. The tenancy between the Landlord and the Tenant continues if the Tenant meets the conditions set out below.
2. For a period of one year the Tenant, or their guest(s), shall not:
 - a) engage in physical, verbal, threatening, or aggressive behaviour toward the Landlord, the Landlord's employees, agents, visitors, or any other residents of the residential complex
 - b) substantially interfere with the reasonable enjoyment or lawful rights of the Landlord or its employees.
3. If the Tenant fails to comply with the conditions set out in paragraph 2 of this order, the Landlord may apply under section 78 of the *Residential Tenancies Act, 2006* (the 'Act') for an order terminating the tenancy and evicting the Tenant. The Landlord must make the application within 30 days of a breach of a condition. This application is made to the LTB without notice to the Tenant.
4. The Tenant shall pay to the Landlord \$201.00 for the cost of filing the application.
5. If the Tenant does not pay the Landlord the full amount owing on or before January 19, 2026, the Tenant will start to owe interest. This will be simple interest calculated from January 20, 2026 at 4.00% annually on the balance outstanding.

January 14, 2026
Date Issued

Bryan Delorenzi
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.