



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

File Number: LTB-L-104174-25-SA

In the matter of: 217, 5 Marlene Avenue
Brantford ON N3S0J9

Between: City of Brantford Landlord

And

Sarah Casey Tenant

City of Brantford (the 'Landlord') applied for an order to terminate the tenancy and evict Sarah Casey (the 'Tenant') and for an order to have the Tenant pay compensation for damage they owe because the Tenant did not meet a condition specified in the order issued by the LTB on April 14, 2025 with respect to application LTB-L-099372-24.

The Landlord's application was resolved by order LTB-L-104174-25, issued on December 11, 2025. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-104174-25.

This motion was heard by videoconference on January 15, 2026. The Landlord's representative Adam Metcalf, and the Tenant represented by Michael Dow, attended the hearing.

Determinations:

1. Order LTB-L-099372-24 was the result of a consent agreement entered into on April 9, 2025 at a videoconference hearing. The Tenant agreed to follow the guest policy at all times, which includes that the Tenant's guests need to buzz the Tenant directly to enter the residential complex, that they sign in with security, and that the Tenant is to retrieve guests from the residential complex lobby and also escort them out of the residential complex.
2. On November 24, 2025, the Landlord alleges the Tenant breached a condition of the order when the Tenant's guests exited the unit unsupervised by the Tenant. On this occasion the Tenant's dog and guests and became involved in an altercation.
3. There have been no other allegations of breaches of the conditions of the order since the order was issued.

4. The Tenant had a guest in her unit who had signed in. The Tenant was sick that day and was asleep when another resident of the complex came by with another friend. The guest of the Tenant decided to take the Tenant's dogs for a walk. When they entered the hallway, the video of the incident shows that a dog, which was described as a pit bull, came out of another rental unit and the dogs got into an altercation. The testimony and video show that the door of the other unit had been propped open, which is against the rules, which allowed the other dog out. The video shows the guests and the other resident pulling the dogs apart.
5. The Tenant testified that when she went out in the hallway, her guest had left before she could escort the person out of the complex.
6. After considering all of the circumstances, including the fact that there have not been any other incidents since the order was issued, I find that it would not be unfair to set aside order LTB-L-104174-25.

It is ordered that:

1. The motion to set aside Order LTB-L-104174-25, issued on December 11, 2025, is granted.
2. Order LTB-L-104174-25, issued on December 11, 2025, is set aside and cannot be enforced.
3. Order LTB-L-099372-24 remains in effect.

January 20, 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.

