



Order under Section 69 Residential Tenancies Act, 2006

Citation: Toribio v Bonar, 2026 ONLTB 8743

Date: 2026-01-30

File Number: LTB-L-060150-25

In the matter of: 9, 79 OLIVE CRES
ORILLIA ON L3V1E9

Between: Joseph Toribio Landlord

And

Dan Bonar Tenant

Joseph Toribio (the 'Landlord') applied for an order to terminate the tenancy and evict Dan Bonar (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 November 17, 2025.

The Landlord, the Tenant, and the Tenant's legal representative Stephanie Boomhour attended the hearing.

Determinations:

1. As explained below, the Landlord has not proven on a balance of probabilities the grounds for termination of the tenancy. Therefore, the application is dismissed.
2. The Tenant was in possession of the rental unit on the date the application was filed.
3. On July 9, 2025, the Landlord gave the Tenant an N7 notice of termination. The notice of termination contains the following alleged serious impairments of safety:
 - On June 29, 2025, the Tenant entered another tenant's rental unit uninvited, causing her to feel unsafe.
 - On June 27, 2025, the Tenant made false noise complaints which culminated in a bylaw fine being issued against the Landlord;

- On July 3, 2025, another tenant gave notice of their intention to vacate the residential complex due to the Tenant's behaviour.
4. The Landlord has not proven that the Tenant has seriously impaired the safety of another person.
 5. The most serious allegation on the N7 Notice – the uninvited entry into another tenant's rental unit on June 29, 2025 – does not, in and of itself, constitute a serious impairment of safety. The Landlord did not call the other tenant as a witness to speak to the alleged incident.
 6. The only evidence submitted in support of the Landlord's allegation was the Landlord's hearsay evidence that the other tenant "didn't feel safe" as a result of the incident. This is insufficient to establish, in the absence of further details and ideally direct evidence, that the Tenant posed a credible threat to the other tenant's safety.
 7. It is the Landlord's burden to prove the allegations alleged in the N7 Notice and to prove that the Tenant's conduct constituted a serious impairment of safety.
 8. The allegations with respect to fraudulent noise complaints and other tenants vacating the residential complex would not constitute serious impairments of safety even if proven. As described in *276761 Ontario Inc. v. Overall*, 2018 ONSC 3264, the N7 process is typically reserved for cases involving "weighty, grave, or momentous conduct". No such conduct is even alleged in the Landlord's N7 Notice.

It is ordered that:

1. The Landlord's application is dismissed.

January 30, 2026
Date Issued

Jeremy Henderson
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.