



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

File Number: LTB-L-078474-25

In the matter of: 47 GOLF COURSE TRAIL
KINCARDINE ON N2Z1C1

Between: Kincardine Golf & Country Club Limited Landlord

And

Brok McLean Tenant

Kincardine Golf & Country Club Limited (the 'Landlord') applied for an order to terminate the tenancy and evict Brok McLean (the 'Tenant') because:

- the Tenant, another occupant of the rental unit or someone the Tenant permitted in the residential complex has substantially interfered with the reasonable enjoyment or lawful right, privilege or interest of the Landlord or another tenant.

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 January 22, 2026.

The Landlord's Legal Representative, Ben Charlebois, the Tenant's Legal Representatives, Michael Polvere and Victoria Stephenson and the Tenant attended the hearing.

At the hearing, the parties consented to the following order.

It is ordered on consent that:

1. The Tenant shall comply with Rule 29 of the Park Rules and continue to do so for a period of 12 months from today's date;
2. This consent is being made without prejudice to the Tenant being able to challenge the Park Rules in a separate application;
3. In the interim, if applications from the Tenant or from other tenants represented by John Brennan, result in a finding that the Park Rules are inapplicable and unenforceable, the Tenant is hereby released from his obligations under Paragraph #1 herein and this order is voided;

4. If the Tenant fails to comply with the condition set out in Paragraph 1 of this order, the Landlord may apply under section 78 of the *Residential Tenancies Act, 2006* (hereinafter referred to as 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. The Landlord may on 10 days’ written notice to the Tenant, apply to the Board for a termination of the tenancy.

January 27, 2026
Date Issued

Carrie Bertrand
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.