



**Order under Section 78(6)
Residential Tenancies Act, 2006**

File Number: LTB-L-005802-26

In the matter of: 507, 369 PAPE AVE
TORONTO ON M4K3Y6

Between: Toronto Seniors Housing Corporaton Landlord

And

Emmanuel Bortey Nee Whang Tenant

Toronto Seniors Housing Corporaton (the 'Landlord') applied for an order to terminate the tenancy and evict Emmanuel Bortey Nee Whang (the 'Tenant') because the Tenant did not meet a condition specified in the order issued by the LTB on January 21, 2026 with respect to application LTB-L-084415-25.

This application was decided without a hearing being held.

Determinations:

1. The order provides that the Landlord can apply to the LTB under section 78 of the *Residential Tenancies Act, 2006* (the 'Act') without notice to the Tenant to terminate the tenancy and evict the Tenant if the Tenant does not meet certain condition(s) in the order. This application was filed within 30 days of the breach.
2. The Landlord claims in the Declaration in support of the L4 application that the Tenant breached the prior order LTB-L-084415-25, specifically paragraph 3(a) and 3(f) because:

“a. On or about January 9th 2026, the Landlord’s Community Safety Unit (“CSU”) received a report of the Tenant on the balcony of the Rental Unit, yelling, as well Page 3 of 3 as opening and closing the door to the rental unit. CSU Special Constables attended the Residential Complex and spoke with the complainant, who was a neighbouring resident of the Residential Complex. CSU Special Constables spoke with the Tenant and cautioned him for noise disturbance.

b. On or about January 14th 2026, the Landlord’s CSU was dispatched to the Residential Complex for reports of a noise complaint involving the Rental Unit. Upon arrival of CSU Special Constables, they observed a male occupant within the Rental Unit, speaking loudly inside. A door knock was conducted, and the Tenant was spoken to and cautioned for the complaint. CSU Special Constables offered the Tenant supports and referral to additional services, which the Tenant declined.

c. On or about January 16th 2026, the Landlord's CSU was dispatched to the Residential Complex for reports of screaming and yelling within the Rental Unit. CSU Special Constables attended the Rental Unit and cautioned the Tenant for noise.

d. On or about January 19th 2026, the Landlord's CSU was dispatched to the Residential Complex for reports of the Tenant periodically screaming and yelling within the Rental Unit. CSU Special Constables attended the Rental Unit and observed yelling from within the Rental Unit. Special Constables spoke with the Tenant and cautioned him for yelling."

3. Subsection 78(6) of the Act stipulates the following:

(6) If the Board finds that the landlord is entitled to an order under subsection (1), the Board **may** [emphasis] make an order terminating the tenancy and evicting the tenant.

4. I am exercising my authority under subsection 78(6) of the Act and I am denying the Landlord's request for termination of the tenancy. This is because Order LTB-L-084415-25 was issued on January 21, 2026, the order requires the Landlord in consideration of the Tenant's disability contact the Tenant's support worker, prior to filing. Given that all the dates of the allegations are before the order issuance date and that there were no submissions made with respect to the engagement of the Tenant's support worker, the application will be dismissed.

5. Order LTB-L-084415-25 remains in full force and effect.

It is ordered that:

1. The Landlord's application is dismissed.

January 26, 2026
Date Issued

Alicia Johnson
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.