



Order under Section 31 Residential Tenancies Act, 2006

File Number: LTB-T-051130-25

In the matter of: 805, 1425 BODMIN RD
MISSISSAUGA ON L5J3T4

Between: Simone Dawkins Tenant

And

CAPREIT LIMITED PARTNERSHIP Landlord

Simone Dawkins (the 'Tenant') applied for an order determining that CAPREIT LIMITED PARTNERSHIP (the 'Landlord'):

- substantially interfered with the reasonable enjoyment of the rental unit or residential complex by the Tenant or by a member of their household.
- harassed, obstructed, coerced, threatened or interfered with the Tenant.

This application was heard by videoconference on December 22, 2025. Only the Tenant attended the hearing. As of 11:00 a.m., the Landlord 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 Tenant's evidence.

Determinations:

1. For the reasons that follow, the Tenant's application is dismissed.
2. The Tenant brings this application in connection to the Board's file LTB-L-102034-24. By way of background, the Landlord applied for an order to terminate the tenancy and evict the Tenant because the Tenant did not pay the rent that the Tenant owed. The Landlord's application was resolved by way of a conditional order on September 11, 2024.
3. The Landlord then applied for an order to terminate the tenancy and evict the Tenant because the Tenant did not meet a condition specified in the order. On December 27, 2024, the Board issued an *ex parte* order terminating the tenancy and evicting the Tenant. On January 14, 2025, the Tenant filed a motion to set aside the order. The Tenant's motion was heard on March 25, 2025, and the parties consented to setting aside the order and consenting to a new order with respect to the arrears and rent.

4. The Tenant has filed this application on the same grounds for which she filed her motion to set aside.
5. Landlords are entitled to enforce their rights by giving tenants proper notices of termination when warranted and by filing applications at the Board. The Landlord was entitled to file their application under section 78 because the believed the Tenant breached a term of the conditional order. I am not satisfied the Landlord's conduct in enforcing their rights was improper or unreasonable. Accordingly, the Tenant's application is dismissed.

It is ordered that:

1. The Tenant's application is dismissed.

February 6, 2026

Date Issued

Dawn Sullivan

Vice Chair, 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.