



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

File Number: LTB-L-107284-25-SA

In the matter of: 1509, 720 BRUCE AVE
SUDBURY ON P3C5C4

Between: Greater Sudbury Housing Corporation Landlord

And

Santana Nahwegezhic Tenant

Greater Sudbury Housing Corporation (the 'Landlord') applied for an order to terminate the tenancy and evict Santana Nahwegezhic (the 'Tenant') because the Tenant did not meet a condition specified in the order issued by the LTB on March 27, 2025 with respect to application LTB-L-002287-25-SA.

The Landlord's application was resolved by order LTB-L-107284-25, issued on January 8, 2026. This order was issued without a hearing being held.

The Tenants filed a motion to set aside order LTB-L-107284-25.

This motion was heard by videoconference on February 5, 2026. The Landlord's representative Melissa Chicoine, and the Tenant represented by Zoe St. Pierre, attended the hearing.

Determinations:

1. The Tenant has a drug addition. On March 24, 2025, on consent from the Tenant, the Tenant agreed to place all sharp and/or needles in a biohazard bin.
2. An email to the Landlord from a source that was redacted, on page 27 of the Landlord's evidence package, states that on January 16, 2026, the author of the email saw drugs and needles all over.
3. The Tenant testified that she always ensure that needles are placed in the biohazard bin.
4. As the author of the email was not present to testify, and considering the alleged breach of the condition was ten months after the order, I am not satisfied the Tenant is in breach of the condition set out in the order or that this gives cause to terminate the tenancy.
5. The Landlord also alleges the Tenant breached a condition of the order by keeping items I the hallway of the residential complex.

6. The Landlord alleges that on December 10, 2025, the Tenant left items in the hallway. The Tenant testified that on that day she was cleaning out her unit acknowledging that she has a hoarding problem, and that the items were there to be disposed of later that day. The items were removed that day.
7. The Landlord also alleges that on December 14, 2025, the Tenant left a shopping cart in the stairwell. The Tenant testified that it was someone else who moved a shopping cart into the stairwell without her knowledge.
8. The Landlord submitted an email on the day of the hearing which refers to pest control treatment not being performed due to the smell of drugs in the Tenant's unit. This evidence does not comply with the Board's disclosure rule. As well, the order provides that the Tenant permit access for pest control. The Tenant is not in breach of this condition.
9. I do not find that these incidents should give rise to the termination of the tenancy.
10. After considering all of the circumstances, I find that it would not be unfair to set aside order LTB-L-107284-25.

It is ordered that:

1. The motion to set aside Order LTB-L-107284-25, issued on January 8, 2026, is granted.
2. Order LTB-L-107284-25, issued on January 8, 2026, is set aside and cannot be enforced.
3. The condition set out in order LTB-L-002287-25-SA are extended for an additional twelve-month period from the date of this order.

February 10, 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.

