



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

File Number: LTB-L-005923-26

In the matter of: A201, 220 Front Street
Hornepayne ON P0M1Z0

Between: Hornepayne Housing Corporation Landlord

And

Carole Quenville Tenant
Natalie MacKinnon

Hornepayne Housing Corporation (the 'Landlord') applied for an order to terminate the tenancy and evict Carole Quenville and Natalie MacKinnon (the 'Tenant') and for an order to have the Tenant pay compensation for damage they owe because the Tenant did not meet a condition specified in the order issued by the LTB on June 3, 2023 with respect to application LTB-L-078631-23.

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-078631-23 as follows. The Landlord claims that the Tenant breached the prior order by repeatedly tethering a dog outside the rental unit on a very long tether, approximately 50 feet in length, secured to the ground, and leaving the dog unattended. The Landlord submits that although the Tenant asserts the dog is leashed, the length of the tether and the lack of supervision mean the dog is not under effective control.
3. The prior order LTB-L-078631-23 notes the following: the Tenant shall keep their dogs on leash while anywhere in the residential complex, other than inside the rental unit.
4. Subsection 78(1)2 i of the Act stipulates that a landlord may, without notice to the tenant, apply to the LTB for an order terminating the tenancy or evicting the tenant if an order was made with respect to the previous application which imposed conditions on the tenant that, if not met by the tenant, would give rise to the same grounds for terminating the tenancy as were claimed in the previous application.

5. The prior order LTB-L-078631-23 is based on an L2 application filed by the Landlord which relies upon an N5 notice of termination ('N5 Notice'). The N5 Notice references events occurring between September 25, 2025 and October 2, 2023 relating to the Tenant's handling of animals on the residential complex. The Landlord alleges that the Tenant permitted animals to run loose on the property and failed to comply with requests to leash the dog.
6. The condition imposed by the prior order arising from the N5 Notice required that the Tenant keep the dog on leash while anywhere in the residential complex. While the Landlord alleges that the Tenant breached the order by tethering the dog on a long leash and leaving it unattended, the evidence before me establishes that the dog was leashed and the specific condition set out in the prior order was met.
7. As a result, the alleged conduct relating to the dog does not give rise to the same grounds for terminating the tenancy as were claimed in the prior L2 application based on the N5 Notice and cannot support an application under section 78 of the Act.

It is ordered that:

1. The Landlord's application is dismissed.

February 9, 2026
Date Issued

Joshua Labbe
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.