



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

**Citation:** Vanastra Lions Apt Inc. v Stewart, 2026 ONLTB 14827

**Date:** 2026-02-12

**File Number:** LTB-L-107716-25

**In the matter of:** 203, 198 12TH ST  
CLINTON ON N0M1L0

**Between:** Vanastra Lions Apt Inc. Landlord

**And**

Lisa Tracy Stewart Tenant

Vanastra Lions Apt Inc. (the 'Landlord') applied for an order to terminate the tenancy and evict Lisa Tracy Stewart (the 'Tenant') because the Tenant failed to meet a condition specified in the order issued by the Board on November 18, 2025 with respect to application LTB-L-083354-25-SA.

A hearing was held by videoconference on January 15, 2026 to consider this application.

The Landlord's agent Lindsey Armstrong, the Landlord's legal representative Frannie Simms, The Tenant's legal representative Kim Birmingham, and the Tenant attended the hearing.

### **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 conditions in the order.

#### The breach

2. There was no dispute that the Tenant failed to meet a condition specified in the order issued by the LTB on November 18, 2025, with respect to application LTB-L-083354-25-SA. While not all breaches were acknowledged, the Tenant agrees that they failed to comply with paragraph 5. 5. of the previous order issued on November 18, 2025.
3. Paragraph 5. 5. of the previous order requires the Tenant to refrain from making excessive noise in the rental unit.
4. The application was filed within 30 days of the breach.

Section 83 considerations

*Procedural History*

5. The parties consented to an order in LTB-L-095860-24 resulting in a conditional order. The Landlord filed an L4 application in LTB-L-048310-25, and the Tenant filed a motion to set aside the ex-parte order resulting in the order LTB-L-048310-25-SA issued on August 8, 2025.
6. Another L4 application was filed by the Landlord in LTB-L-083354-25 based on a breach of LTB-L-048310-25-SA, and the Tenant filed a motion to set aside that ex-parte order resulting in LTB-L-083354-25-SA.
7. The order in LTB-L-083354-25-SA terminates the tenancy on February 28, 2026, but also provides that the Landlord may apply to the Board to seek earlier termination if the Tenant breaches any of the conditions of the order.
8. The Landlord filed this L4 application on January 15, 2026, seeking termination of the tenancy based on a breach of LTB-L-083354-25-SA.
9. The Tenant's representative requested that the Tenant be permitted to remain in the rental unit until February 28, 2026, which is the date agreed by the parties in LTB-L-083354-25-SA.
10. The Landlord's representative submits that the actions of the Tenant are affecting other residents of the residential complex, and that the date of February 28, 2026, would be agreeable if there were no further breaches of the order.
11. Based on the parties' prior consent to terminate the tenancy on February 28, 2026, it would not be reasonable to delay beyond that date. Accordingly, the tenancy will be terminated on February 28, 2026.
12. The Landlord's representative provided unsolicited post-hearing submissions on February 6, 2026. Consideration of these subsequent allegations would require that the Tenant be provided an opportunity to respond. Further, these submissions are made in support of a request for the issuance of the order to be expedited, and not for a shortened eviction date or an expedited eviction.
13. To reconvene or invite submissions from the Tenant would undermine the Landlord's request for expedited issuance of the order. Even if I accepted all the evidence as true, it would not affect the date of termination in this order. Therefore, I have not considered the submissions.

**It is ordered that:**

1. Order LTB-L-083354-25-SA is cancelled.
2. The tenancy between the Landlord and the Tenant is terminated. The Tenant must move out of the rental unit on or before February 28, 2026.

3. If the unit is not vacated on or before February 28, 2026, then starting March 1, 2026, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
4. Upon receipt of this order, the Court Enforcement Office (Sheriff) is directed to give vacant possession of the unit to the Landlord on or after March 1, 2026.

**February 12, 2026**  
**Date Issued**

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Kyle McGraw  
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.

In accordance with section 81 of the Act, the part of this order relating to the eviction of the Tenant expires on September 1, 2026 if the order has not been filed on or before this date with the Court Enforcement Office (Sheriff) that has territorial jurisdiction where the rental unit is located.