



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

File Number: LTB-L-105531-25-SA

In the matter of: 302, 170 EAST AVE S
HAMILTON ON L8N4H6

Between: CityHousing Hamilton Corporation Landlord

And

Katherine Green Tenant

CityHousing Hamilton Corporation (the 'Landlord') applied for an order to terminate the tenancy and evict Katherine Green (the 'Tenant') because the Tenant did not meet a condition specified in the order issued by the LTB on September 19, 2025 with respect to application LTB-L-002320-25.

The Landlord's application was resolved by order LTB-L-105531-25, issued on January 6, 2026. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-105531-25.

This motion was heard by videoconference on February 12, 2026. The Landlord's representative Katherine Howlett, and the Tenant represented by Merima Menxildzic, attended the hearing.

The Landlord consents to the Tenant's motion to set aside. At the hearing the parties consented to the following order.

The landlord and tenant agree there was a breach of the mediated agreement dated September 19, 2025, due to in part to a change in the tenant's circumstances.

The parties agree there is a current Order by the Hamilton Fire Department ordering both parties to take action in the unit.

To accommodate the tenant, after completion of the action required in the Inspection Order, the Landlord will, to the best of their ability:

- Provide 3 weeks' notice of entry prior to entry into the rental unit, and notify the Tenant's Support, of the notice of entry.
- The notice of entry will include the date of entry, reason for entry, who is coming into the unit, which rooms may be inspected, and the landlord will comply with what is on the notice of entry.

To accommodate the tenant, the Tenant shall have the ability to reschedule pest control treatment and inspections one time per scheduled treatment. If the tenant reschedules based on this accommodation it will not be seen as denying or impeding access.

The tenancy will terminate if the tenant fails to comply with Inspection Order Number 14639. Upon notification of the tenant's failure to comply with Inspection Order Number 14639, the landlord may take this order, and proof of the non-compliance by way of an order issued under the *Fire Protection and Prevention Act*, 1997, to the Court Enforcement Office and obtain a sheriff's order.

On consent it is ordered that:

1. The motion to set aside Order LTB-L-105531-25, issued on January 6, 2026, is granted.
2. Order LTB-L-105531-25, issued on January 6, 2026, is set aside and cannot be enforced.
- For a 12-month period commencing February 12, 2026:

The Tenant shall not deny entry or impede access in accordance with the *Residential Tenancies Act* and subject to the agreed facts above.

3. For a 12-month period commencing March 2, 2026:

The Tenant shall ensure the rental unit is kept in a way that does not impede the landlord's pest control efforts and meets Ontario Fire Code Regulations.

4. If the Tenant fails to comply with the conditions set out in paragraphs 1-2 of this order, the Landlord may apply under section 78 of the *Residential Tenancies Act, 2006* (the 'Act') for an order terminating the tenancy and evicting the Tenant. The Landlord must make the application within 30 days of a breach of any condition. This application will be made to the LTB upon providing written notice to the Tenant.

February 17, 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.