



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

File Number: LTB-L-003084-26-SA

In the matter of: 1006, 15 GALE CRES
ST CATHARINES ON L2R7G3

Between: Niagara Regional Housing Landlord

And

Christina Gent Tenant

Niagara Regional Housing (the 'Landlord') applied for an order to terminate the tenancy and evict Christina Gent (the 'Tenant') because the Tenant did not meet a condition specified in the order issued by the LTB on July 29, 2025 with respect to application LTB-L-022563-25.

The Landlord's application was resolved by order LTB-L-003084-26, issued on January 19, 2026. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-003084-26.

This motion was heard by videoconference on February 19, 2026.

Determinations:

1. At a hearing on July 17, 2025, with the assistance of a Board Dispute Resolution Officer, the Tenant consented to an order that required her to reimburse the Landlord \$2,599.00 for decluttering the rental unit. The Tenant also agreed that for the duration of the tenancy the Tenant would keep the unit in an ordinary state of cleanliness with a clutter scale 2. The Tenant also agreed not to use the balcony for storage.
2. The Tenant breached the conditions of the order and the Board issued order LTB-L-070608-25 evicting the Tenant. The Tenant filed a set aside motion which was heard on October 16, 2025. The motion was heard on October 16, 2025.
3. It was agreed that the Tenant had made significant progress to declutter the unit and the Landlord did not oppose setting aside the eviction order.
4. On January 8, 2026, the Landlord conducted an inspection of the rental unit. Photographs from the inspection show excessive clutter in the rental unit. The Landlord found strong foul odours throughout the unit, food on the floor, and the smoke detector removed from the wall.

5. The Landlord has attempted to do pest control treatments on December 12th, January 2nd and January 16th. The rental unit was not properly prepared.
6. I find that any improvement the Tenant may have made to reduce the level of clutter in the unit has reverted back to a level of clutter that far exceeds level 2 on the clutter scale. I am not satisfied that the Tenant can maintain the unit in an ordinary state of cleanliness. In addition, the amount of clutter and removal of the smoke detector creates a hazard for other residents in the residential complex.
7. After considering all of the circumstances, including the fact that there was a consent to preserve the tenancy and the Tenant's previous motion to set aside was granted, I find that it would be unfair to set aside order LTB-L-003084-26.
8. Considering the fact that this is a ten year tenancy I find it fair to delay lifting the stay to allow the Tenant additional time to relocate. The stay will be lifted on April 30, 2026.

It is ordered that:

1. The motion to set aside Order LTB-L-003084-26, issued on January 19, 2026, is denied.
2. The stay of order LTB-L-003084-26 is lifted April 30, 2026.
3. Order LTB-L-003084-26 is unchanged.

March 3, 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.

