



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

File Number: LTB-L-106696-25-SA

In the matter of: Main Floor, 102 STEWART ST
PETERBOROUGH ON K9J3M1

Between: Florence Kingston Landlord

And

Norma Clarke Tenants
Tracy Clarke

Florence Kingston (the 'Landlord') applied for an order to terminate the tenancy and evict Norma Clarke and Tracy Clarke (the 'Tenants') because the Tenants did not meet a condition specified in the order issued by the LTB on December 4, 2025 with respect to application LTB-L-090908-25.

The Landlord's application was resolved by order LTB-L-106696-25, issued on January 7, 2026. This order was issued without a hearing being held.

The Tenants filed a motion to set aside order LTB-L-106696-25.

This motion was heard by videoconference on February 24, 2026. The Landlord and the Tenant, Tracy Clarke, attended the hearing.

Determinations:

1. Order LTB-L-090908-25 granted relief from eviction on the condition that the Tenants prior to any pest control treatment, ensure that their rental unit is fully prepared for the treatment, including no obstructing clutter and to permit the completion of the full treatment.
2. The Landlord attempted a pest control treatment on December 15, 2025. Proper notice was served, preparation instructions were also served on the Tenants from ORKIN, photographs show a lack of preparation, and from ORKIN technician Gerald Murray shows that there was no access to the back room baseboards, that clothes were hanging of the bed with an extra cot in the room with bagged clothes on top. There was no access to baseboards in the living room and had no access to the baseboards due to a couch. The technician was unable to treat due to clothing on top and no space to spray underneath as well as no access behind the furniture. Live bedbugs were found on the mattress and no access to baseboards closets and furniture caused a lack of access to spray. The bed

could not be lifted due to items in the way. There were items in bottom of closets, and hallway to the basement could not be accessed due to the amount of items in the way.

3. It was the Tenant's position that the Landlord cancelled the treatment.
4. The Landlord acknowledged that the technician was running a little late but that the treatment had not been cancelled.
5. Based on the evidence that the technician did attend, attempted to treat the unit, charged the Landlord for the visit, and wrote a report about the condition of the unit, I find that the Landlord did not cancel the pest control treatment.
6. The Landlord also introduced photographs of the unit taken on January 21, 2026, which show the excessive clutter in the unit.
7. The issue of bedbugs has spread to other units. The Tenants lack of preparation is substantially interfering with the Landlord's obligation to properly make effective pest control treatments. I find delaying lifting the stay will affect the treatment for bedbugs as the Tenants are not complying with the order to prepare the unit for treatments which provided relief from eviction.
8. The Tenants' rent is \$1,000.00 monthly and the Tenants are currently \$2,800.00 in arrears of rent.
9. After considering all of the circumstances, I find that it would be unfair to set aside order LTB-L-106696-25.

It is ordered that:

1. The motion to set aside Order LTB-L-106696-25, issued on January 7, 2026, is denied.
2. The stay of order LTB-L-106696-25 is lifted immediately.
3. Order LTB-L-106696-25 is unchanged.

March 4, 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.

