



**Order under Section 69
Residential Tenancies Act, 2006**

File Number: LTB-L-097960-25

In the matter of: 207, 16 LAKE ST
PICTON ON K0K2T0

Between: PELA Housing Corporation Landlord

And

Daniel Geertsma Tenant

PELA Housing Corporation (the 'Landlord') applied for an order to terminate the tenancy and evict Daniel Geertsma (the 'Tenant') because:

- the Tenant, another occupant of the rental unit or someone the Tenant permitted in the residential complex has substantially interfered with the reasonable enjoyment or lawful right, privilege or interest of the Landlord or another tenant

This application was heard by videoconference on February 25, 2026.

Only the Landlord's agent, Cindy Jackson, attended the hearing.

As of 10:15 a.m., the Tenant was not present or represented at the hearing although properly served with notice of this hearing by the LTB. There was no record of a request to adjourn the hearing. As a result, the hearing proceeded with only the Landlord's evidence.

Determinations:

1. As explained below, the Landlord has proven on a balance of probabilities the grounds for termination of the tenancy I find it appropriate to order conditional relief from eviction. The tenancy will continue provided the Tenant comply with certain terms.
2. The Tenant was in possession of the rental unit on the date the application was filed.

Substantial interference

3. On July 11, 2025, the Landlord served the Tenant with a first N5 notice of termination. The notice alleged that the Tenant substantially interfered with the reasonable enjoyment of other tenants by making excessive noise in the rental unit. The Landlord relied on that

notice as the basis to serve a second N5 notice under section 68 of the *Residential Tenancies Act, 2006* (Act)

4. On November 4, 2025, the Landlord served the Tenant with a second N5 notice of termination. The notice alleged that the Tenant continued to make excessive noise in the rental unit, substantially interfering with the reasonable enjoyment of other tenants.
5. The Landlord's agent testified that on October 28, 2025, the Tenant Relations Officer received a complaint that around midnight of October 24 and October 25, 2025, the Tenant was yelling and banging on the walls inside the rental unit, which affected other tenants' ability to sleep. The Landlord submitted a copy of the incident report as evidence.
6. Subsection 64(1) of the *Residential Tenancies Act, 2006* (the 'Act') states:

A landlord may give a tenant notice of termination of the tenancy if the conduct of the tenant, another occupant of the rental unit or a person permitted in the residential complex by the tenant is such that it substantially interferes with the reasonable enjoyment of the residential complex for all usual purposes by the landlord or another tenant or substantially interferes with another lawful right, privilege or interest of the landlord or another tenant

7. Based on the Landlord's uncontested evidence, I find on a balance of probabilities that the Tenant made excessive noise that disturbed other tenants and substantially interfered with their reasonable enjoyment of the residential complex.
8. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.

Relief from eviction

9. I have considered all of the disclosed circumstances in accordance with subsection 83(2) of the *Residential Tenancies Act, 2006* (the 'Act'), and find that it would not be unfair to grant relief from eviction subject to the conditions set out in this order pursuant to subsection 83(1)(a) and 204(1) of the Act.
10. The Landlord's agent stated that the Landlord is not seeking immediate termination of the tenancy but is seeking a conditional order requiring the Tenant to refrain from causing disturbances in the residential complex. The Tenant did not attend the hearing, and I did not receive evidence from the Tenant regarding relief from eviction. In the circumstances, I find it appropriate to grant conditional relief on the terms requested.

It is ordered that:

1. The tenancy between the Landlord and the Tenant continues if the Tenant meets the conditions set out below.
2. For 24 months beginning February 26, 2026, the Tenant shall not cause any disturbance in the residential complex, including by making loud noise, using profane language, yelling, or screaming in the rental unit or in the residential complex.

3. If the Tenant fails to comply with the conditions set out in paragraph 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 a condition. This application is made to the LTB without notice to the Tenant.
4. The Tenant shall also pay to the Landlord \$186.00 for the cost of filing the application.
5. If the Tenant does not pay the Landlord the full amount owing on or before August 1, 2026, the Tenant will start to owe interest. This will be simple interest calculated from August 2, 2026, at 4.00% annually on the balance outstanding.

March 6, 2026
Date Issued

Joy Xiao
Member, Landlord and Tenant Board

15 Grosvenor Street, Ground Floor
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If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.