



Order under Section 69 Residential Tenancies Act, 2006

Citation: Greater Sudbury Housing Corporation v Duval, 2026 ONLTB 19925

Date: 2026-03-06

File Number: LTB-L-010780-26

In the matter of: 406, 166 LOUIS ST
SUDBURY ON P3B2H3

Between: Greater Sudbury Housing Corporation Landlord

And

Emilie Duval Tenant

Greater Sudbury Housing Corporation (the 'Landlord') applied for an order to terminate the tenancy and evict Emilie Duval (the 'Tenant') because:

- the Tenant, another occupant of the rental unit or a person the Tenant permitted in the residential complex has seriously impaired the safety of any person and the act or omission occurred in the residential complex.

This application was heard by videoconference on March 3, 2026. Only the Landlord's agent Suzette Pellerin attended the hearing.

As of 9:35am, 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.
2. The Tenant was in possession of the rental unit on the date the application was filed and remained in possession as of the hearing date.
3. The rental unit is in a multi-residential apartment complex.
4. On February 3, 2026, the Landlord gave the Tenant an N7 notice of termination. The notice of termination alleges that the Tenant has seriously impaired the safety of any person within the residential complex.

5. The Landlord's agent testified that on January 28, 2026, a fire occurred in the 4th floor hallway of the residential complex. After the fire, the each of the neighbouring rental units were inspected and the Tenant's unit was observed to have the smoke detectors and the fire annunciator removed.
6. Based on the uncontested evidence and submissions before the Board, I find that the Tenant has seriously impaired the safety of themselves and other residents in the residential complex by tampering with the fire safety equipment / devices. In *Furr v. Courtland Mews Cooperative Housing Inc.*, 2020 ONSC 1175 (*CanLII*) the Divisional Court confirmed that serious impairment of safety includes both actual impairment and a real risk of impairment.
7. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
8. I have considered all the disclosed circumstances in accordance with subsection 83(2) of the *Residential Tenancies Act, 2006* (the 'Act'), and find that it would be unfair to grant relief from eviction pursuant to subsection 83(1) of the Act.
9. The Tenant was not present at the hearing to give submissions with respect to their circumstances and the Landlord's agent further confirmed that this was not the first incident that the Tenant had tampered with the fire safety equipment / devices. As such, I find that termination of tenancy is warranted in these circumstances.

It is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated. The Tenant must move out of the rental unit on or before March 11, 2026.
2. If the unit is not vacated on or before March 11, 2026, then starting March 12, 2026, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
3. 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 12, 2026. The Sheriff is requested to expedite the enforcement of this order.
4. The Tenant shall 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 March 11, 2026, the Tenant will start to owe interest. This will be simple interest calculated from March 12, 2026 at 4.00% annually on the balance outstanding.

March 6, 2026
Date Issued

Fabio Quattrociocchi
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 12, 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.