



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

File Number: LTB-L-008054-26-SA

In the matter of: B, 225 SEQUOIA DR
THUNDER BAY ON P7B5T3

Between: TBDSSAB Housing Programs Landlord

And

Michael Blaikie Tenants
Shelbie MacMillan

TBDSSAB Housing Programs (the 'Landlord') applied for an order to terminate the tenancy and evict Michael Blaikie and Shelbie MacMillan (the 'Tenants') because the Tenants did not meet a condition specified in the mediated settlement signed by the parties on February 5, 2025 with respect to application LTB-L-061736-24.

The Landlord's application was resolved by order LTB-L-008054-26, issued on February 2, 2026. This order was issued without a hearing being held.

The Tenants filed a motion to set aside order LTB-L-008054-26.

This motion was heard by videoconference on March 10, 2026. The Landlord's representative Jennifer Fenton, and the Tenants represented by Matthew Jollineau, attended the hearing. the Landlord's Tenant Support Worker Jackie Livingstone also attended as witness for the Landlord.

Determinations:

1. At a hearing held on January 22, 2025, the Tenants consented to an order to refrain from allowing people who are not permitted at the residential complex from visiting their rental unit. The Landlord was to provide the Tenants with a list of the people who are not permitted.
2. The Landlord provided the list to the Tenants.
3. The Landlord alleges that on January 11, 2026, the Tenants permitted Stacy Eade, a prohibited person, into the rental unit.
4. The Tenant, Shelbie MacMillan testified that a friend was at their unit who let Mr. Eade in. The Tenant testified that Mr. Eade was In the unit for approximately fifteen to twenty

minutes. The Tenants did not take any action to contact the Landlord or the police to have him removed. I find the Tenants breached the conditions of the order.

5. There was also a separate incident when Ms. Livingstone went to the unit and found Mr. Eade was there. Mr. Eade had somehow placed a ring on his finger that was cutting off the circulation. Mr. Eade knew that Mr. Blaikie had the tools to remove the ring. Due to Mr. Eade's criminal record he was not comfortable going to the hospital. Ms. Livingstone chose not to file an L4 based on this incident.
6. There was no evidence that there have been additional breaches in more than one year since the order was issued. Both Tenants have drug addiction issues related to the use of crack. Ms. MacMillan testified that she is epileptic and has seizures. Both Tenants are on ODSP and have no family in the area.
7. After considering all of the circumstances, I find that it would not be unfair to set aside order LTB-L-008054-26 and to provide the Tenants with an opportunity to preserve this tenancy. It is expected that there will be no more breaches of the order.

It is ordered that:

1. The motion to set aside Order LTB-L-008054-26, issued on February 2, 2026, is granted.
2. Order LTB-L-008054-26, issued on February 2, 2026, is set aside and cannot be enforced.
3. Order LTB-L-061736-24 is amended to include the condition that if Stacy Eade attempts to visit the Tenants' rental unit, the Tenants shall immediately contact Jackie Livingstone or the police to prevent Mr. Eade from entering or remaining in the Tenants' rental unit.

March 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.

