



**Order under Section 78(6)
Residential Tenancies Act, 2006**

File Number: LTB-L-022909-26

In the matter of: 308, 2 MADOC ST
MARMORA ON K0K2M0

Between: Marmora District Housing Commission Landlord

And

Carol Maidansky Tenant

Marmora District Housing Commission (the 'Landlord') applied for an order to terminate the tenancy and evict Carol Maidansky (the 'Tenant') because the Tenant did not meet a condition specified in the order issued by the LTB on February 18, 2026, with respect to application LTB-L-080096-25.

This application was decided without a hearing being held.

Determinations:

1. The order provides that the Landlord can apply to the LTB under section 78 of the *Residential Tenancies Act, 2006* (the 'Act') without notice to the Tenant to terminate the tenancy and evict the Tenant if the Tenant does not meet certain condition(s) in the order. This application was filed within 30 days of the breach.
2. I find that the Tenant has not met the following condition in Paragraph 2 as specified in the February 18, 2026 order:

“2. The Tenant shall ensure that neither she, nor her occupants or guests smoke in the rental unit, on the patio, balcony or in the common areas of the residential complex, nor shall the Tenant allow smoke to emanate from her unit.”

On March 13, 2026, the Landlord’s office manager, Karen Hare, while in the Tenant’s rental unit performing maintenance, could see and smell cigarette smoke in the air.

The Landlord received a complaint regarding the Tenant’s smoking from another resident of the residential complex. The resident detected strong cigarette smoke in their unit on February 27, February 28, March 1, March 2, March 7, March 8 and March 9, 2026. This information is all based on the declaration made by the Landlord included with the L4 application.

It is ordered that:

1. Order LTB-L-080096-25 is cancelled.
2. The tenancy between the Landlord and the Tenant is terminated. The Tenant must move out of the rental unit on or before March 28, 2026.
3. If the unit is not vacated on or before March 28, 2026, then starting March 29, 2026, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
4. 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 29, 2026.

March 17, 2026

Date Issued

James McMaster

Member, Landlord and Tenant Board

15 Grosvenor Street, Ground Floor,
Toronto ON M7A 2G6

The Tenant has until March 27, 2026, to file a motion with the LTB to set aside the order under s. 78(9) of the Act. If the tenant files the motion by March 27, 2026, the order will be stayed and the LTB will schedule a hearing.

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 expires on September 29, 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.