



Order under Section 69 Residential Tenancies Act, 2006

Citation: Inuit Non-Profit Housing Corporation v Atagootak, 2026 ONLTB 27469

Date: 2026-04-07

File Number: LTB-L-047334-25

In the matter of: 6, 330 FRONTENAC ST
VANIER ON K1L6K7

Between: Inuit Non-Profit Housing Corporation Landlord

And

Madeline Atagootak Tenant

Inuit Non-Profit Housing Corporation (the 'Landlord') applied for an order to terminate the tenancy and evict Madeline Atagootak (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 January 6, 2026.

Only the Landlord's Legal Representative Marc-Roger Gagne and Emily Ettagiak attended the hearing.

As of 10:26 am, 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. Therefore, the tenancy is terminated.
2. The Tenant was in possession of the rental unit on the date the application was filed.

On April 11, 2025, the Landlord gave the Tenant an N5 notice of termination deemed served that same date. The notice of termination contains the following allegations:

- a) From June 8, 2024, to March 10, 2025, the Landlord observed and received complaints about the Tenant and the Tenant's guests being intoxicated in the residential complex, threatening and harassing other tenants and the agents of the Landlord, and damaging items and causing altercations with other tenants.

3. The Tenant stopped the conduct or activity or corrected the omission within seven days after receiving the N5 notice of termination. Therefore, the Tenant voided the N5 notice of termination in accordance with s. 64(3) of the *Residential Tenancies Act, 2006* (Act).
4. On May 30, 2025, the Landlord gave the Tenant a second N5 notice of termination. The notice of termination contains the following allegations:
 - a) On May 30, 2025, the Tenant was observed in front of the residential complex drinking with guests and yelling and screaming.
5. The Tenant, an occupant of the Tenant's rental unit or a person permitted in the residential complex by the Tenant has substantially interfered with the Landlord by continuing to become intoxicated and screaming and yelling at other tenants and agents of the Landlord.
6. This conduct has substantially interfered with the Landlord's and the other tenants' reasonable enjoyment of the residential complex.
7. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
8. There is no last month's rent deposit.
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 be unfair to grant relief from eviction pursuant to subsection 83(1) of the Act.

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 April 18, 2026.
2. If the unit is not vacated on or before April 18, 2026, then starting April 19, 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 April 19, 2026.
4. The Tenant shall pay to the Landlord \$186.00 for the cost of filing the application.
5. The total amount the Tenant must pay the Landlord is \$186.00.
6. If the Tenant does not pay the Landlord the full amount owing on or before April 18, 2026, the Tenant will start to owe interest. This will be simple interest calculated from April 19, 2026, at 4.00% annually on the balance outstanding.

April 7, 2026
Date Issued

Jagger Benham
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 October 19, 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.