



Order under Section 69 Residential Tenancies Act, 2006

Citation: Circle Community LandTrust Inc. v Adem, 2026 ONLTB 28585

Date: 2026-04-08

File Number: LTB-L-107802-25

In the matter of: 72 WINSTANLY CRES
SCARBOROUGH ON M1B1N4

Between: Circle Community LandTrust Inc. Landlord

And

Afia Adem Tenant

Circle Community LandTrust Inc. (the 'Landlord') applied for an order to terminate the tenancy and evict Afia Adem (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 April 2, 2026.

Only the Landlord's agent, Maariyah Iqbal, attended the hearing.

As of 10:22 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:

- As explained below, the Landlord has proven on a balance of probabilities the grounds for termination of the tenancy in the application. Therefore, the tenancy continues subject to the conditions in this order. **If the Tenant fails to comply with the conditions in this order, the Landlord may apply for an order terminating the tenancy without further notice to the Tenant.**
- The Tenant was in possession of the rental unit on the date the application was filed.

N5 Notice of Termination

3. On November 28, 2025, the Landlord gave the Tenant an N5 notice of termination. The notice of termination contains the following allegations: the Tenant did not comply with notices of entry for fire inspections on August 8 and November 13, 2025 and refused entry to the Landlord and their agents.
4. The Tenant did not stop the conduct or activity within seven days after receiving the N5 notice of termination and denied entry to the Landlord again on December 4, 2025, despite receiving a proper notice of entry in compliance with the *Residential Tenancies Act, 2006*, (the 'Act'). Therefore, the Tenant did not void the N5 notice of termination in accordance with s.64(3) of the Act.
5. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.

Relief from eviction

6. 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. The Landlord communicated with the Tenant about the scheduled hearing and provided opportunities to resolve the application.
7. The Landlord requests a conditional order which would continue the tenancy if the Tenant complies with notices of entry, including a notice of entry which has been given for a fire safety inspection and filter change on April 9, 2026. I am satisfied that this is a reasonable resolution; the Landlord has proven the grounds for eviction in the application but is willing to give the Tenant another opportunity to continue the tenancy.
8. The anticipated mailing date of this order would likely not give the Tenant time to read and understand the consequences of not complying with the notice of entry. The inspection has already been scheduled and a notice of entry given. To balance the needs and circumstances of the parties, the Landlord's agent agreed to my instruction to provide the Tenant with the agreed upon conditions to continue the tenancy by the end of the business day on April 2, 2026: that **the Tenant must comply with the notice of entry on April 9, 2026 and all other notices of entry which are given in accordance with the Act for a period of 12 months. If the Tenant does not comply with these conditions, the Landlord will be entitled to apply for an eviction order without further notice to the Tenant.**

It is ordered that:

1. The tenancy between the Landlord and the Tenant continues if the Tenant meets the conditions set out below.
2. The Tenant shall comply with the notice of entry which has been given for the fire safety inspection on April 9, 2026.

3. The Tenant shall comply with all notices of entry which are given by the Landlord in compliance with the Act for a period of 12 months beginning April 9, 2026 and ending April 8, 2027.
4. If the Tenant fails to comply with the conditions set out in paragraphs 2 and 3 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.
5. The Landlord shall provide the terms of this order, and specifically the conditions set out in paragraphs 2 and 3, to the Tenant by the end of the business day on April 2, 2026.
6. The Tenant shall pay to the Landlord \$186.00 for the cost of filing the application.
7. The total amount the Tenant must pay the Landlord is \$186.00.
8. If the Tenant does not pay the Landlord the full amount owing on or before April 19, 2026, the Tenant will start to owe interest. This will be simple interest calculated from April 20, 2026 at 4.00% annually on the balance outstanding.

April 8, 2026
Date Issued

Dawn Carr
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.