



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

Citation: Big Hill Holdings Ltd V Alexander, 2026 ONLTB 29448

Date: 2026-04-14

File Number: LTB-L-003703-26-SA

In the matter of: 1/2, 110 HAIG ST
ST CATHARINES ON L2R6L2

Between: Big Hill Holdings Ltd Landlord

And

Gary Alexander Tenant

Big Hill Holdings Ltd (the 'Landlord') applied for an order to terminate the tenancy and evict Gary Alexander (the 'Tenant') because the Tenant did not meet a condition specified in the order issued by the LTB on October 3, 2024 with respect to application LTB-L-025657-24.

The Landlord's application was resolved by order LTB-L-003703-26, issued on January 26, 2026. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-003703-26.

This motion was heard by videoconference on April 7, 2026.

The Landlord's agent, Naomi Loewith, the Landlord's legal representative, Nathalie de Rechter, and the Tenant attended the hearing.

Determinations:

1. The Tenant failed meet the following conditions specified in the order issued by the LTB on October 3, 2024 with respect to application LTB-L-025657-24:
 - a) The Tenant shall not...threaten or interfere with...other guests.
 - b) The Tenant shall not engage in act, behaviour, gesture or statement that may reasonably be perceived as threatening, intimidating, violent or suggestive of harm.
 - c) The Tenant shall not make any sexual, disturbing or otherwise inappropriate comments, gestures or conduct towards the Landlord, other tenants or guests.

- d) The Tenant shall ensure his dogs are securely leashed and under his direct control at all times when in the backyard or common areas of the residential complex.
2. Video evidence of the breaches were submitted into evidence. On January 8, 2026 and January 17, 2026 the Tenant's dogs were unleashed in the backyard. On January 8, 2026 the dogs were barking at the door of the basement unit.
 3. On January 8, 2026 the Tenant was involved in a verbal altercation with another tenant and stated, 'You're a [expletive] [expletive]..I'll jerk off on your forehead after knocking you out.'
 4. The Tenant says that in the January 8, 2026 altercation he was provoked by the other tenant and responded calmly and respectfully while keeping his hands in his pockets and not reacting physically. In my view this shows a basic lack of understanding of what is acceptable behaviour and what is reasonably perceived as threatening, violent, and sexual. Accordingly, there is no reasonable likelihood that an extended conditional order would be complied with. There is a young child living in the basement unit and unleashed dogs in the yard pose a potential safety risk.
 5. After considering all of the circumstances, I find that it would be unfair to set aside order LTB-L-003703-26.
 6. The Tenant requests a delayed lifting of the stay because there is limited rental unit availability, particularly considering their budget and having two dogs. I am not satisfied that a brief extension would make a meaningful difference to the Tenant's ability to secure new accommodations, however a lengthy extension would be prejudicial to the other tenants who continue to be exposed to the Tenant's unwelcome behaviours. Accordingly I am not satisfied that delayed lifting of the stay is reasonable.
 7. The stay of order LTB-L-003703-26 is lifted immediately.

It is ordered that:

1. The motion to set aside Order LTB-L-003703-26, issued on January 26, 2026, is denied.
2. The stay of order LTB-L-003703-26 is lifted immediately.
3. Order LTB-L-003703-26 is unchanged.

April 14, 2026

Date Issued

Dawn Carr

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.