



Order under Section 69 Residential Tenancies Act, 2006

Citation: TBDSSAB Housing Programs v Shymkiw, 2026 ONLTB 29813

Date: 2026-04-13

File Number: LTB-L-007652-26

In the matter of: 612, 1100 LINCOLN ST
THUNDER BAY ON P7E5V7

Between: TBDSSAB Housing Programs Landlord

And

James Shymkiw Tenant

TBDSSAB Housing Programs (the 'Landlord') applied for an order to terminate the tenancy and evict James Shymkiw (the 'Tenant') because:

- the Tenant or another occupant of the rental unit has committed an illegal act or has carried out, or permitted someone to carry out an illegal trade, business or occupation in the rental unit or the residential complex;
- the Tenant, another occupant of the rental unit or a person the Tenant permitted in the residential complex has seriously impaired the safety of any person and the act or omission occurred in the residential complex.

The Landlord also claimed compensation for each day the Tenant remained in the unit after the termination date.

This application was heard by videoconference on April 9, 2026.

The Landlord's Legal Representative, Jennifer Fenton, and the Tenant attended the hearing. The Tenant declined to speak to Tenant Duty Counsel prior to the start of this proceeding.

At the hearing, the parties before the LTB consented to the following order. I was satisfied that the parties understood the consequences of their consent.

On consent of the parties, it is ordered that:

1. The tenancy between the Landlord and the Tenant continues if the Tenant meets the conditions set out below.
2. For a period of one year from the date of this Order, the Tenant and his guests will not seriously impair the safety of another person in the residential complex.
3. For the duration of the tenancy, the Tenant shall not tamper with or steal the life safety systems in the residential complex, including the fire hoses, fire extinguishers, pull stations and smoke detectors.

4. If the Tenant fails to comply with the conditions set out in paragraph 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 Tenant shall pay to the Landlord \$186.00 for the cost of filing the application.
6. If the Tenant does not pay the Landlord the full amount owing on or before April 8, 2027, the Tenant will start to owe interest. This will be simple interest calculated from April 9, 2027, at 4.00% annually on the balance outstanding.

April 13, 2026

Date Issued

Panagiotis P. Roupas

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.