



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

Citation: WDL 8 LP, c/o Tricon Residential v Brown, 2026 ONLTB 30368

Date: 2026-04-14

File Number: LTB-L-016354-26

In the matter of: 404, 181 MILL ST
TORONTO ON M5A1C8

Between: WDL 8 LP, c/o Tricon Residential Landlord

And

Khasna Brown Tenants
Andrenique Rolle
Astrid Brown

WDL 8 LP, c/o Tricon Residential (the 'Landlord') applied for an order to terminate the tenancy and evict Khasna Brown, Andrenique Rolle and Astrid Brown (the 'Tenants') because the Tenants failed to meet a condition specified in the order issued by the LTB on April 28, 2025 with respect to application LTB-L-101241-24.

A hearing was held by videoconference on April 7, 2026 to consider this application.

The Landlord's agents, Belinda Black and Anna Savchuk, the Landlord's legal representative, Martin Zarnett, and the Tenant Astrid Brown attended the hearing.

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 Tenants to terminate the tenancy and evict the Tenants if the Tenants do not meet certain conditions in the order.
2. The condition alleged to have been breached is: Effective April 18, 2025, and continuing for a period of thirty-six (36) months, the Tenant, any other occupant of the rental unit, or any person permitted by the Tenant to be in the residential complex shall not substantially interfere with the reasonable enjoyment of the residential complex by the Landlord or any other tenant.
3. I find that the Tenants did not breach the condition in the order.

The alleged breach

4. The Landlord says that on February 13, 2026 the Tenants' minor children were left unsupervised and displayed graphic adult content on the television in the theatre room, caused damage to the remote control and speakers in the theatre room, and were jumping on the furniture in the theatre room, all of which substantially interfered with the reasonable enjoyment of the residential complex by other tenants.
5. The concierge, Roman Davydov, and the senior property manager, Belinda Black, testified for the Landlord. Video surveillance from the theatre room shows a group of children entering the room at approximately 16:14. The children are identified as children residing in another rental unit and guests. One of these children changes the television from cartoons to an adult website displaying graphic sexual content. At approximately 16:18 a child occupant ('CO') of the rental unit enters the theatre room and leaves again at approximately 16:25. CO did not participate in any jumping on furniture and did not damage the remote control or speakers.
6. The senior property manager says the group of children accessed the theatre room using a key fob assigned to the rental unit. She believes CO allowed the other guests into the building because it is her usual practice. The Landlord had no direct evidence that CO had allowed the other children into the residential complex.
7. None of the problematic behaviours were done by CO. I accept the Landlord's testimony that the key fob used to access the theatre room was assigned to the rental unit, so was most likely used by CO. However, as the group of children who initially entered included at least one other resident of the residential complex, I do not find the assumption that the unknown children were permitted into the residential complex by CO to be reliable. In my view it is just as likely that the unknown children were admitted to the residential complex by the other occupant who was present with them in the room before and after CO was present, and appeared more involved in the problematic behaviours.

It is ordered that:

1. The application is dismissed.

April 14, 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.