



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

File Number: LTB-L-008527-26-SA

In the matter of: 706, 500 ST. LAURENT BLVD
OTTAWA ON K1K4M5

Between: Ottawa Community Housing Corporation Landlord

And

Roxanne Bastien Tenant

Ottawa Community Housing Corporation (the 'Landlord') applied for an order to terminate the tenancy and evict Roxanne Bastien (the 'Tenant') because the Tenant did not meet a condition specified in the order issued by the LTB on June 12, 2024 with respect to application LTB-L-086746-23.

The Landlord's application was resolved by order LTB-L-008527-26, issued on February 3, 2026. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-008527-26.

This motion was heard by videoconference on March 16, 2026.

The Tenant attended the hearing. The Landlord was represented at the hearing by Laura Clark.

Determinations:

1. The order issued February 3, 2026 found that the Tenant failed to meet a condition specified in the order issued by the Landlord and Tenant Board on June 12, 2024 with respect to application LTB-L-086746-23.
2. That order found that the Tenant, an occupant, or a guest of the Tenant failed to ensure that any dogs in their possession or control in the common areas of the residential complex were kept leashed at all times, specifically on January 8, 12, and 27, 2026. The order also found that the Tenant failed to ensure that any dogs in their possession or control were kept sufficiently controlled at all times.
3. This motion is brought pursuant to s.78(11) of the *Residential Tenancies Act, 2006* (the 'Act'). The issue before the Board is whether, having regard to all the circumstances, it would be unfair to set aside the order.

4. As explained below, I find that it would be unfair to set aside the order.

The surrounding circumstances

5. The Landlord provided video evidence from multiple dates in January 2026, including January 8, 12, and 27. The video evidence shows multiple dogs off-leash in interior common areas, including hallways and elevators; dogs exiting the Tenant's unit into common areas without being leashed; dogs off-leash in the building's elevator; dogs urinating in hallways; and dogs off-leash in the outdoor common area.
6. In addition to the video evidence, the Landlord's witness, Brent Chisholm, testified that complaints were received from multiple tenants regarding the Tenant's dogs, including concerns about safety, cleanliness, and dogs being off-leash in shared spaces.
7. The Tenant acknowledged being present in at least some of the videos and further acknowledged that at least three of the dogs shown belonged to her. The Tenant also testified that she sometimes cared for additional dogs belonging to others and that others occasionally cared for her dogs.
8. The Tenant's explanation was that she believed the rear courtyard was an area where dogs were permitted to be off-leash because other tenants used it in that manner. I do not accept that explanation.
9. The breaches were not limited to the courtyard. The video evidence clearly shows dogs off-leash in hallways and elevators, which are unequivocally common areas.
10. The Tenant also provided inconsistent evidence. She initially stated that dogs were only off-leash in the backyard but later acknowledged incidents inside the building.
11. Based on the totality of the evidence, I find on a balance of probabilities that the Tenant repeatedly breached the prior order requiring dogs to be kept on leash in common areas.

Whether to set aside the order?

12. I find that the Tenant's ongoing conduct creates a risk to other tenants and interferes with their reasonable enjoyment of the residential complex. The presence of dog urine in hallways further supports the Landlord's concerns regarding cleanliness and maintenance.
13. I acknowledge that eviction is a remedy of last resort. However, it is appropriate to terminate a tenancy where I am not satisfied that the Tenant would comply with a conditional order. I find that to be the case here.
14. This is not the first time the Tenant has been before the Board regarding this issue. The Tenant previously agreed to comply with conditions requiring her dogs to be leashed and acknowledged understanding the seriousness of those conditions. Despite those prior proceedings and warnings, the Tenant continued to engage in the same conduct.
15. The breaches are not isolated. There were multiple breaches on multiple dates. The Tenant has been given more than one opportunity to comply and has failed to do so.

16. The pattern of non-compliance, combined with the inconsistencies in the Tenant's evidence, leads me to conclude that a further conditional order would not be effective.
17. Having regard to all of the circumstances, I find that it would be unfair to set aside the order.
18. While I find it appropriate to deny the motion, I find it appropriate to delay lifting to allow the Tenant time to secure alternate accommodation.

It is ordered that:

1. The motion to set aside order LTB-L-008527-26 is denied.
2. The stay of order LTB-L-008527-26 is lifted May 31, 2026

April 16, 2026
Date Issued

Bryan Delorenzi
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.