



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-014902-26

In the matter of: 607, 4205 LAWRENCE AVE E
SCARBOROUGH ON M1E4S6

Between: Toronto Community Housing Corporation Landlord

And

Collin Israel Tenant

Toronto Community Housing Corporation (the 'Landlord') applied for an order to terminate the tenancy and evict Collin Israel (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; and, 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.

This application was heard by videoconference on April 13, 2026 at 9:56am.

Only the Landlord's representative Navya Menon, and the landlord's witnesses PC Carter Brown and SC Sonali Khullar attended the hearing.

Determinations:

1. As explained below, the Landlord has proven on a balance of probabilities the grounds for termination of the tenancy. Therefore, the tenancy is terminated on April 25, 2026.
2. The Tenant was in possession of the rental unit on the date the application was filed.
3. On February 10, 2026, the Landlord gave the Tenant an N6 and N7 notice of termination, each containing a termination date of March 12, 2026. The notices of termination allege the Tenant committed an illegal act in the rental unit or residential complex; and, that the Tenant has seriously impaired the safety of another person in the residential complex. In particular, it is alleged the Tenant assaulted and sexually assaulted an occupant of the rental unit, as well as assaulted a police officer.
4. The Landlord's witness Police Constable Carter Brown (PC Brown) from Toronto Police Services (TPS) attended at the rental unit on October 4, 2025 in response to a 911 call received. Upon attending at the rental unit, PC Brown testified he observed an individual

with a black eye/bruising exit the rental unit. The occupant subsequently advised she was the victim of a recent physical assault, in addition to being sexually assaulted by the Tenant on that same morning. When the Tenant was placed under arrest within residential complex. PC Brown testified that the Tenant spat on him. As a result, the Tenant has been charged with Assault, Sexual Assault and Assault Peace Officer.

5. The TCHC Occurrence report (TH25064062) was submitted into evidence and supported PC Brown's oral testimony, stating, in part:

...the victim stated that she received the bruising about her face from the accused over the past few days (assault)

...

During the course of the arrest, the accused utter to the arresting officers, "Im going to spit on you". The accused proceed to spit on.....saliva made contact withface and next (assault peace officer)

6. The onus to prove the allegations on a balance of probabilities rests with the Landlord.
7. The Landlord alleges the Tenant committed the offence of *Assault* and *Assault Peace Officer* in violation of section 265(1) and 270(1), respectively, of the *Criminal Code of Canada*, R.S.C. 1985, c. C-46 (the "*Criminal Code*"), with provide as follow:

265 (1) A person commits an assault when

- (a) without the consent of another person, he applies force intentionally to that other person, directly or indirectly;
- (b) he attempts or threatens, by an act or a gesture, to apply force to another person, if he has, or causes that other person to believe on reasonable grounds that he has, present ability to effect his purpose; or
- (c) while openly wearing or carrying a weapon or an imitation thereof, he accosts or impedes another person or begs.

270 (1) Every one commits an offence who

- (a) assaults a public officer or peace officer engaged in the execution of his duty or a person acting in aid of such an officer;
- (b) assaults a person with intent to resist or prevent the lawful arrest or detention of himself or another person;

8. While the Board may admit hearsay, it must be mindful of the inherent dangers in doing so, particularly given that hearsay evidence can be extremely unreliable. I have decided to admit the Landlord's hearsay evidence and deal with any indicia of unreliability as a matter of what weight to give that evidence.
9. Here, based upon PC Brown's uncontested testimony that he was responding to a 911 call for an alleged assault, PC Brown's visual confirmation that the occupant exiting the rental unit had bruising upon her face; and, the victim's subsequent notification that she was

assaulted by the Tenant, I find the Tenant applied force intentionally to an occupant within the rental unit, without her consent. Accordingly, I find that the Tenant committed the illegal act of *Assault* within the residential complex and contrary to section 265(1)(a) of the *Criminal Code*. Moreover, based upon the visible bruising on the occupant's face and obvious violent nature of the incident in question, I also find the Tenant seriously impaired the safety of another person within the residential complex.

10. Similarly, I also find Tenant committed the offence of *Assault of Peace Officer* contrary to section 270(1) of the *Criminal Code* as a result of the Tenant spitting upon PC Carter while the Tenant was being placed under arrest at the building.
11. Given the findings of multiple breaches under the Act, I need not also consider whether the Tenant also committed further offences (i.e. Sexual Assault, Breach of Probation Condition) as particularized in the notices of termination.

Section 83

12. Section 83 requires that I consider all the circumstances, including the Tenant's and the Landlord's situations to determine if it would be appropriate to grant section 83 relief from eviction.
13. The Landlord seeks eviction, noting the violent nature of the Tenant's actions and vulnerable population residing at the building.
14. The Landlord has not been made aware of any children living in the rental unit, health issues or other relevant considerations under section 83 of the Act.
15. The Tenant also did not attend the hearing, and thus did not provide any evidence that may be relevant to my determination under s. 83.
16. I have considered all of the disclosed circumstances in accordance with subsection 83 of the *Residential Tenancies Act, 2006* (RTA), and find that it would be unfair to grant relief from eviction pursuant to subsection 83(1) of the Act.

It is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated. The Tenant must move out of the rental unit on or before April 25, 2026.
2. If the unit is not vacated on or before April 25, 2026, then starting April 26, 2026, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.

3. Upon receipt of this order, the Court Enforcement Office (Sheriff) is directed to give vacant possession of the unit to the Landlord on or after April 26, 2026.

April 20, 2026
Date Issued

Peter Nicholson
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.

In accordance with section 81 of the Act, the part of this order relating to the eviction of the Tenant expires on October 26, 2026 if the order has not been filed on or before this date with the Court Enforcement Office (Sheriff) that has territorial jurisdiction where the rental unit is located.