



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-109573-25

In the matter of: 410, 550 KINGSTON RD
TORONTO ON M4E3V6

Between: Neighbours Community Homes Landlord

And

Roseanne Marie Desjarlais Tenant

Neighbours Community Homes (the 'Landlord') applied for an order to terminate the tenancy and evict Roseanne Marie Desjarlais (the 'Tenant') because 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.

Only the Landlord's agent Hin Ching Chen and the Landlord's witnesses Leanora Bryan and Lilly Lau 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 26, 2026.
2. The Tenant was in possession of the rental unit on the date the application was filed.
3. On December 12, 2025, the Landlord gave the Tenant an N7 notice of termination containing a termination date of December 29, 2025. The notice of termination alleges the Tenant has seriously impaired the safety of another person in the residential complex. In particular, it is alleged the Tenant physically assaulted another tenant.
4. The Landlord's witness Leonora Bryan (LB) is a Housing Support Worker for the Landlord and advised that on May 1, 2025, she witnessed an altercation between the Tenant and another resident in the building hallway and then lobby. LB witnessed both residents engaged in a "*back and forth tussle*" but according to LB, the Tenant was the aggressor. In the process, LB testified the Tenant was hitting the other resident and spat on him.

5. Similarly, the Landlord's Housing Support Worker Lilly Lu (LL) also witnessed the altercation in question. According to LL, the Tenant was punching and "swatting" at the other resident while using her room key as a form of weapon.
6. The onus to prove the allegations on a balance of probabilities rests with the Landlord.
7. Based upon the uncontested testimony of both LB and LL, I am satisfied the Tenant was engaged in a physical altercation with another resident on May 1, 2025. Moreover, I am also satisfied that the Tenant sought to cause harm by successfully punching and "swatting" the other resident while using a key as a weapon. While it was noted that the other resident refused medical care after the altercation, it is clear the Tenant's violent behaviour carried a real risk of serious harm. As such, I find on a balance of probabilities that the Tenant seriously impaired the safety of another person within the building.

Section 83

8. 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.
9. The Landlord seeks eviction, noting the violent nature of the Tenant's actions and the fact the Tenant has not paid rent since August 2025.
10. The tenancy is short-term in duration and the Tenant lives alone.
11. 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.
12. 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 26, 2026.
2. If the unit is not vacated on or before April 26, 2026, then starting April 27, 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 27, 2026.

April 21, 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 27, 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.