



Order under Section 69 Residential Tenancies Act, 2006

Citation: KLH Housing Corp. [KLHHC] v Fraser, 2026 ONLTB 31513

Date: 2026-04-17

File Number: LTB-L-106329-25

In the matter of: 610, 111 WILLIAM ST N
LINDSAY ON K9V4Z8

Between: KLH Housing Corp. [KLHHC] Landlord

And

Patricia Fraser Tenant

KLH Housing Corp. [KLHHC] (the 'Landlord') applied for an order to terminate the tenancy and evict Patricia Fraser (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.

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 March 30, 2026. Only the Landlord's legal representative, Caroline Smith, and the Landlord's agent, Mitchell Martin, attended the hearing.

As of 9:30 AM, the Tenant was not present or represented at the hearing although properly served with notice of this hearing by the LTB. There was no record of a request to adjourn the hearing. As a result, the hearing proceeded with only the Landlord's evidence.

Determinations:

1. For the reasons set out below, the Landlord has not established on a balance of probabilities that the grounds for termination set out in the application have been met. The application is therefore dismissed.
2. The Tenant was in possession of the rental unit on the date the application was filed.
3. On December 8, 2025, the Landlord gave the Tenant an N7 notice of termination. The notice of termination contains the following allegations:

4. The Landlord's agent testified that he is a community housing worker employed by the Landlord and is responsible for managing seven of the Landlord's properties. His duties include responding to tenant concerns.
5. The Landlord's agent stated that he received a complaint from the family of another resident alleging that the Tenant had entered that resident's unit without authority. It was further alleged that, while in the unit, the Tenant took food and other items belonging to the resident, who is described as disabled. The Landlord's agent advised the family to contact the police.
6. The Landlord's agent testified that on November 4, 2025, the Tenant was charged with being unlawfully in a dwelling house, contrary to section 349(1) of the *Criminal Code of Canada*. Victim Services later provided the Landlord with a copy of the Tenant's undertaking following her release from custody. The Tenant was ordered not to attend at the complainant's unit.
7. The Landlord's agent further testified that the Tenant was subsequently arrested and charged with several counts of failing to comply with her undertaking, as well as additional charges of being unlawfully in a dwelling house, arising from allegations that she again entered the complainant's unit without authority on multiple further occasions.
8. The Landlord's agent confirmed that there were no allegations of physical harm to the complainant. However, he asserted that the Tenant poses a safety risk to other vulnerable tenants in the residential complex.

Analysis

9. The Landlord seeks eviction pursuant to an N7 Notice of Termination, which requires proof that the Tenant seriously impaired the safety of a person. There must be a clear factual nexus between the Tenant's alleged conduct and this specific statutory ground for termination.
10. Based on the uncontested evidence, it is possible that the Landlord could establish that the Tenant engaged in conduct constituting an illegal act. However, the Landlord did not apply for termination on that basis. The application before me is limited to the allegation of serious impairment of safety.
11. Eviction pursuant to an N7 is an extraordinary remedy. Given the significant consequences that flow from this notice, including a short ten-day notice period, the ability to file an

application immediately, the absence of any opportunity to correct the behaviour, and priority enforcement by the Sheriff, this ground is reserved for the most serious and compelling circumstances.

12. The Landlord did not present evidence demonstrating that the Tenant's conduct seriously impaired the safety of any person. While entering another tenant's unit without lawful authority and taking food or other items is clearly unacceptable and perhaps even illegal behaviour, it does not rise to the level of a serious impairment of safety as contemplated by the *Act*. Accordingly, the Landlord's application must be dismissed.
13. This decision does not minimize the seriousness of the allegations raised. It reflects only that the grounds relied upon in this application were not proven on the evidence presented.

It is ordered that:

1. The Landlord's application is dismissed.

April 17, 2026
Date Issued

Melissa Anjema
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.