



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

File Number: LTB-L-019909-26-SA

In the matter of: 1215, 15 GALE CRES
ST CATHARINES ON L2R7G3

Between: Niagara Regional Housing Landlord

And

Kenneth Beattie Tenant

And

Positive Living Niagara Interested Party

Niagara Regional Housing (the 'Landlord') applied for an order to terminate the tenancy and evict Kenneth Beattie (the 'Tenant') and for an order to have the Tenant pay compensation for damage they owe because the Tenant did not meet a condition specified in the order issued by the LTB on October 17, 2025, with respect to the application LTB-L-073749-25.

The Landlord's application was resolved by the order LTB-L-019909-26, issued on March 9, 2026. This order was issued without a hearing being held.

On March 13, 2026, the Tenant filed a motion to set aside the order LTB-L-019909-26, issued on March 9, 2026.

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

The Tenant, the Landlord's Agent, Rachel Dagenais, Landlord's Legal Representative, Judith Callender and Jennifer Binette, on behalf of *Positive Living Niagara*, attended the hearing.

At the hearing, the parties consented to the following order.

It is ordered on consent that:

1. The motion to set aside the order LTB-L-019909-26, issued on March 9, 2026, is granted.
2. The order LTB-L-019909-26, issued on March 9, 2026, is set aside and cannot be enforced.

3. The previous order LTB-L-073749-25, issued on October 17, 2025, is amended as follows:
4. The Tenant shall pay the Landlord the amount of \$1,395.35, which represents the balance of the amount incurred by the Landlord to engage the services of *Urge to Purge* on behalf of the Tenant.
5. The Tenant shall pay to the Landlord the amount set out in paragraph 4 of this order in accordance with the following schedule:
 - On or before the first (1st) day of each month, from May 1, 2026, to December 31, 2026, the amount of \$160.00 per month.
 - On or before January 1, 2027, the amount of \$115.35.
 - Refer to Schedule 1 for a detailed breakdown of the scheduled payments.
6. Starting April 20, 2026, and continuing through October 20, 2027, the Tenant shall:
 - Maintain the rental unit in a reasonable state of cleanliness,
 - Engage the services of *Positive Living Niagara* at least three (3) days per week in order to provide cleaning and other required services,
 - Upon receiving a Notice of entry in accordance with section 27 of the *Residential Tenancies Act, 2006*, allow the Landlord to inspect the rental unit at least twice per month, for the purposes of determining ongoing compliance with the present order.
7. Starting April 20, 2026, and continuing through October 20, 2027, the Tenant shall prevent the creation of excessive noise within the residential complex. This includes but is not limited to:
 - Ensuring that music is played at a reasonable volume,
 - Ensuring that the television is kept at reasonable volume,
 - Controlling excessive barking by their dog, and
 - Refraining from unreasonably yelling.

8. If the Tenant fails to comply with the conditions set out in paragraphs 4, 5, 6 and 7, of this order, the Landlord may, within thirty (30) days of such a breach and without further notice to the Tenant, apply to the Board under section 78 of the *Residential Tenancies Act, 2006* for an order terminating the tenancy and evicting the Tenant.

April 20, 2026
Date Issued

Alexandre Traboulsi
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.

Schedule 1
SUMMARY OF PAYMENT SCHEDULE

Payment Due On or Before	Payment Amount
May 1, 2026	\$160.00
June 1, 2026	\$160.00
July 1, 2026	\$160.00
August 1, 2026	\$160.00
September 1, 2026	\$160.00
October 1, 2026	\$160.00
November 1, 2026	\$160.00
December 1, 2026	\$160.00
January 1, 2027	\$115.35