



**Order under Section 69
Residential Tenancies Act, 2006**

File Number: LTB-L-002906-26

In the matter of: 3, 2830 MIDLAND AVE
SCARBOROUGH ON M1S1S4

Between: ANDREW ZWINGENBERGER Landlord

And

LORRI ANNE SCHARFE Tenant

ANDREW ZWINGENBERGER (the 'Landlord') applied for an order to terminate the tenancy and evict LORRI ANNE SCHARFE (the 'Tenant') because:

- the Tenant, another occupant of the rental unit or someone the Tenant permitted in the residential complex has substantially interfered with the reasonable enjoyment or lawful right, privilege or interest of the Landlord or another tenant.

The Landlord also claimed compensation for each day the Tenant remained in the unit after the termination date.

ANDREW ZWINGENBERGER (the 'Landlord') also applied for an order requiring LORRI ANNE SCHARFE (the 'Tenant') to pay the Landlord's reasonable out-of-pocket expenses that are the result of the Tenant's conduct or that of another occupant of the rental unit or someone the Tenant permitted in the residential complex. This conduct substantially interfered with the Landlord's reasonable enjoyment of the residential complex or another lawful right, privilege or interest.

This application was heard by videoconference on April 20, 2026.

Tiffany Lakin appeared as the Landlord's legal representative. The Tenant attended the hearing and was self-represented.

Through mediation, the parties agreed to the following order on consent. I was satisfied that the parties understood and agreed to the terms below.

On consent of the parties, it is ordered that:

1. The tenancy between the Landlord and the Tenant continues if the Tenant meets the conditions set out below.
2. On or before May 1, 2026, the Tenant shall clean the rental unit to prevent the emanation of a smoke smell to the adjoining rental unit.

3. The Tenant shall take all necessary steps to ensure that the smell of smoke does not continue to emanate from her unit to the adjoining rental unit. This includes but is not limited to her:
 - a) Smoking outside the rental unit or by an open window in the rental unit.
 - b) Using air purifying devices.
 - c) Spraying air freshener after smoking in the rental unit
4. If the Tenant fails to comply with the conditions set out in paragraphs 2 or 3 of this order, the Landlord may apply under section 78 of the *Residential Tenancies Act, 2006* (the 'Act') for an order terminating the tenancy and evicting the Tenant. The Landlord must make the application within 30 days of a breach of a condition. This application is made to the LTB without notice to the Tenant.
5. The Landlord waives the \$186.00 application filing fee.

April 22, 2026
Date Issued

Andrew Rowell
Hearings Officer, 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.