



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

File Number: LTB-L-087273-25-SA

In the matter of: 305, 138 ARLINGTON AVE
OTTAWA ON K1R5S7

Between: Ottawa Community Housing Corporation Landlord

And

Gail Goodine Tenant

Ottawa Community Housing Corporation (the 'Landlord') applied for an order to terminate the tenancy and evict Gail Goodine (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 August 19, 2025 with respect to application LTB-L-029303-25.

The Landlord's application was resolved by order LTB-L-087273-25, issued on October 30, 2025. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-087273-25.

This motion was heard by videoconference on April 20, 2026. the Landlord's representative Gabriel Cormier, the Landlord's agent Norman Labillois, and the Tenant, who met with Duty Counsel, attended the hearing.

History of this file:

On February 11, 2025, the Landlord served an N5 notice on the Tenant to terminate the tenancy due to excessive clutter in the rental unit. Photographs attached to the notice demonstrated the extreme amount of clutter in the Tenant's rental unit.

On April 8, 2025, the Landlord filed an L2 application with the Board. Before the scheduled hearing held on August 11, 2025, the Landlord did an inspection on July 30, 2025 and submitted photographs demonstrating the excessive clutter in the unit. At the hearing on August 11, 2025, with the assistance of a Board Dispute Resolution Officer, the Tenant consented to an order that required the Tenant to maintain the rental unit in a clean and organized condition. The Landlord was also permitted to do monthly inspections.

On or about September 15, 2025, the Landlord attempted an inspection but could not open the door due to the excessive clutter. The Tenant requested more time.

On or about October 1, 2025, the Landlord again attempted an inspection and found the unit was full of clutter and again the door could only be partially opened.

On or about October 15, 2025, the Landlord attended the unit for an inspection and found the unit continued to be full of clutter. The Landlord took photographs and attached them to the L4 application filed on October 16, 2025. The photographs confirmed that excessive clutter.

On October 30, 2025, the Board issued order LTB-L-087273-25 without a hearing and evicting the Tenant without a hearing.

On November 4, 2025, the Tenant filed a set aside motion. Prior to the set aside hearing, on November 13, 2025, the Landlord took photographs of the unit showing that the unit continued to be kept in a state of extreme clutter. The motion was to be heard on December 2, 2025, but was adjourned on consent to allow Duty Counsel to connect with the Tenant with resources and attempt to resolve the issue.

At the rescheduled set aside hearing held on February 10, 2026, the matter was again adjourned by the adjudicator and interim order LTB-L-087273-25-IN was issued. The Landlord had taken photographs on January 5, 2026 that demonstrated that the Tenant had failed to comply with the order. The Tenant submitted photographs showing progress had been made. The order informed the Tenant that the adjournment was to provide the Tenant with one last opportunity to preserve the tenancy,

The parties were ordered to exchange and provide the Board with all evidence they intended to rely on at the hearing.

Determinations:

1. The Landlord disclosed photographs of the unit, taken at an April 15th inspection of the unit, after providing the Tenant with proper notice of entry, that demonstrate that the unit remains in an extreme level of clutter.
2. On the day of the hearing the Tenant submitted two photographs of areas of the unit that have been partially cleared.
3. Due to the limited area that the photographs show, the Landlord offered to go to the unit and report on the overall condition of the unit. The Tenant refused to allow the Landlord entry to do the inspection.
4. The Tenant testified that there were deaths of relatives that interfered with her ability to comply with the order. The Tenant also testified that she thought the hearing was taking place later as a reason the unit remained cluttered.
5. The Landlord is concerned that the condition of the unit may cause a fire safety issue as there have been deaths due to hoarding in other unit.
6. After considering all of the circumstances, including the long history of non-compliance, the number of opportunities that have been provided to the Tenant to comply with the

conditions of the consent order, and the fact that the condition of the rental unit may cause a fire safety issue, I find that it would be unfair to set aside order LTB-L-087273-25.

7. To provide the Tenant with time to relocate, I find it fair to delay lifting the stay until June 30, 2026.

It is ordered that:

1. The motion to set aside Order LTB-L-087273-25, issued on October 30, 2025, is denied.
2. The stay of order LTB-L-087273-25 is lifted on June 30, 2026.
3. Order LTB-L-087273-25 is unchanged.

April 28, 2026

Date Issued

Greg Joy

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.