



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

File Number: LTB-L-097208-25

In the matter of: 1494 BENJAMIN AVE
WINDSOR ON N8X4N1

Between: Louis Boakye Landlord

And

Isaac Lelievre Tenant

Louis Boakye (the 'Landlord') applied for an order to terminate the tenancy and evict Isaac Lelievre (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 March 2, 2026.

Only the Landlord Louis Boakye attended the hearing.

As of 10:22 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. As explained below, the Landlord has not proven on a balance of probabilities the grounds for termination of the tenancy in the application. Therefore, the application is dismissed.
2. The Tenant was in possession of the rental unit on the date the application was filed.
3. On November 4, 2025, the Landlord gave the Tenant an N7 notice of termination. The notice of termination alleged that:
 - The Tenant engaged in behaviour posing a health risk by defecating on a bathroom floor and failing to flush a toilet; and
 - The Tenant ate another tenant's food without permission.

4. The Landlord relied on three allegations in support of the application. With respect to the first allegation, the Landlord submitted a video which he said showed feces on the bathroom floor on October 31, 2025. However, the Landlord acknowledged that he had no evidence identifying the Tenant as the person responsible for that mess. The video does not establish who caused it, and the Landlord provided no direct evidence linking the Tenant to the conduct alleged.
5. With respect to the second allegation, that the Tenant failed to flush a toilet, the Landlord similarly provided no evidence connecting that allegation to the Tenant. There was no witness evidence, admission, or other documentary evidence establishing that the Tenant was responsible for the condition complained of.
6. I therefore find that the Landlord has not met the evidentiary burden with respect to the first two allegations. While the conditions described by the Landlord may have been unpleasant or unsanitary, the issue in this application is whether the Landlord has proven, on a balance of probabilities, that the Tenant, another occupant of the rental unit, or a person permitted in the residential complex by the Tenant engaged in the conduct alleged. On the evidence before me, that has not been established.
7. With respect to the third allegation, that the Tenant ate another tenant's food without permission, even if proven, I am not satisfied that this conduct would rise to the level of seriously impairing the safety of another person within the meaning of the Residential Tenancies Act, 2006 (the "Act"). That allegation may raise other concerns between occupants, but it does not, on its face or on the evidence before me, establish the ground relied on in this application.
8. Having considered all of the evidence before me, I am not satisfied on a balance of probabilities that the Tenant seriously impaired the safety of another person in the residential complex. Therefore, the Landlord's application must be dismissed.

It is ordered that:

1. The Landlord's application is dismissed.

April 30, 2026
Date Issued

Kyle Anderson
Member, Landlord and Tenant Board

15 Grosvenor Street, Ground Floor
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If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.