



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

File Number: LTB-L-021792-26-SA

In the matter of: 116, 333 GLENGARRY AVE
WINDSOR ON N9A1P6

Between: Windsor Essex Community Housing Corporation Landlord

And

CJ Duquette Tenant

Windsor Essex Community Housing Corporation (the 'Landlord') applied for an order to terminate the tenancy and evict CJ Duquette (the 'Tenant') because the Tenant did not meet a condition specified in the order issued by the LTB on February 11, 2026 with respect to application LTB-L-091206-25.

The Landlord's application was resolved by order LTB-L-021792-26, issued on March 16, 2026. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-021792-26.

This motion was heard by videoconference on April 30, 2026. The Landlord's representative Madeline Whitworth, and the Tenant represented by Tori-Lee Jenkins, attended the hearing. Also in attendance as witnesses for the Landlord were Carl Huenemoerder, a fire alarm technician, and Meghan Belleperche, the Landlord's property manager, both of whom testified. The Tenant's social worker, Alissa Lauzon, also testified at the hearing.

Determinations:

1. The Landlord served a notice of termination on the Tenant on September 2, 2025, based on an inspection of the rental unit on August 26, 2025, that found excessive clutter in the unit that could be a fire safety hazard. It was also alleged that the fire safety horn had been disconnected causing a fire safety risk. It was also alleged that there was damage to the rental unit.
2. At a hearing held on February 4, 2026, with the assistance of a Board Dispute Resolution Officer, the Tenant consented to an order to maintain a clear path of egress throughout the unit, and that an occupant of the rental unit or someone the Tenant permits into the residential complex are not to tamper with the fire safety equipment in the rental unit.

3. The Landlord alleges that the fire safety equipment in the Tenant's unit had been tampered with. There is no allegation the Tenant has breached the condition to maintain a clear path of egress.
4. Mr. Huenemoerder testified that the monitoring system showed that at 4:42am the heat detector was disconnected. An inspection of the unit at 2:30pm later that day found it had been removed. A new device was installed.
5. The Tenant testified that a guest in the unit had caused the issue. The guest was later identified as Dario Angelo. Mr. Huenemoerder confirmed that the guest was the person who returned the device to him during the inspection.
6. The Tenant also testified that he has put up signs in his unit not to touch the fire safety equipment. Allisa Lauzon, the Tenant's social worker, who regularly visits the Tenant for assistance at his unit, confirmed the presence of the signs.
7. There has not been an issue with the fire safety system from August 26, 2025 inspection to the filing of the L4, and I am satisfied it was Mr. Angelo who tampered with the system. There is no longer a fire safety issue related to excessive clutter in the unit and the Tenant has regular visits from Ms. Lauzon for support.
8. After considering all of the circumstances, I find that it would not be unfair to set aside order LTB-L-021792-26 and provide the Tenant with one last opportunity to preserve this tenancy.
9. As a condition of relief from eviction, the Tenant is ordered not to permit Dario Angelo into his rental unit and to report any issues that may give rise to an eviction order based on Order LTB-L-091206-25 to the Landlord.

It is ordered that:

1. The motion to set aside Order LTB-L-021792-26, issued on March 16, 2026, is granted.
2. Order LTB-L-021792-26, issued on March 16, 2026, is set aside and cannot be enforced.
3. Order LTB-L-091206-25 is amended to include the following:
 - The Tenant shall not permit Dario Angelo into his rental unit and should there be an issue that may give rise to an eviction order based on Order LTB-L-091206-25, the Tenant shall immediately report the issue to the Landlord.

May 11, 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.