



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-007225-26

In the matter of: 2, 910 COPELAND ST
NORTH BAY ON P1B3E4

Between: Larry Nelson Landlord

And

John McMillan Tenant
Nicole McMillan

Larry Nelson (the 'Landlord') applied for an order to terminate the tenancy and evict John McMillan and Nicole McMillan (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

When the capitalized word “Tenant” is used in this order, it refers to all persons identified as a Tenant in this decision’s title of proceedings.

The application was scheduled to be heard by video conference on May 11, 2026. The Landlord attended and the Tenant was represented by Sophia Jennings. Prior to the hearing, the parties elected to participate in LTB facilitated mediation with the assistance of Helen Giannini, a Dispute Resolution Officer and Hearing Officer, with the Landlord and Tenant Board. As a result of the resolution discussion, the parties mutually agreed to resolve all matters at issue in the application and requested an order on consent. I was satisfied that the parties understood the terms and consequences of their consent.

The Parties agreed:

- a. The Landlord gave the Tenant N5 notices of termination. The notice of termination alleges that 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.
- b. The Tenant will refrain from smoking at the rental property, or in the rental unit.

- c. If there is one more instance of the Tenant smoking, the Landlord will provide the Tenant with written correspondence with the date and time of the smoking infraction. If there is another occurrence, the Landlord can proceed with the enforcement of this Order.

It is ordered on consent that:

1. The tenancy between the Landlord and the Tenant continues if the Tenant meets the conditions set out below:
 - The Tenant shall refrain from smoking at the rental property or in the rental unit.
 - If there is one more instance of the Tenant smoking, the Landlord shall provide the Tenant with written correspondence with the date and time of the smoking infraction. If there is another occurrence, the Landlord can proceed with the section 78 provision of this Order.
2. If the Tenant fails to comply with the conditions set out in paragraph 1 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.

May 13, 2026
Date Issued

Helen Giannini
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.