



**Order under Section 69 / 89
Residential Tenancies Act, 2006**

File Number: LTB-L-015808-26

In the matter of: 608, 79 Jameson Ave
Toronto ON M6K2W7

Between: Medallion Corporation Landlord

And

Shari Mitton Tenant

Medallion Corporation (the 'Landlord') applied for an order to terminate the tenancy and evict Shari Mitton (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 Tenant or another occupant of the rental unit has committed an illegal act or has carried out, or permitted someone to carry out an illegal trade, business or occupation in the rental unit or the residential complex;
- 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.

The Landlord also applied for an order requiring the Tenant to pay:

- the Landlord's reasonable out-of-pocket costs the Landlord has incurred or will incur to repair or replace undue damage to property. The damage was caused wilfully or negligently by the Tenant, another occupant of the rental unit or someone the Tenant permitted in the residential complex.
- compensation for each day the Tenant remained in the unit after the termination date.

This application was heard by videoconference on April 30, 2026.

Only the Landlord's Legal Representative Marija Jelic attended the hearing.

As of 9:30 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 or the claim for compensation 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 February 3, 2026, the Landlord gave the Tenant an N5 notice of termination ('N5 Notice'), alleging that the Tenant substantially interfered with the Landlord's or other tenants' reasonable enjoyment of the residential complex. In particular, the Landlord alleged that the Tenant was making excessive noise and smoke odours in the unit, and bringing dirty rugs into the unit and washing them in the sink, causing flooding.
4. On February 3, 2026, the Landlord gave the Tenant an N6 notice of termination ('N6 Notice'), alleging that the Tenant committed an illegal act in the residential complex by stealing clothing and personal items from the shared laundry machines.
5. On February 3, 2026, the Landlord gave the Tenant an N7 notice of termination ('N7 Notice'), alleging that the Tenant seriously impaired the safety of others in the residential complex by urinating and defecating in the common areas, and by causing flooding in the rental unit which made a ceiling fan dislodge and fall on the tenant in the unit below.
6. The Landlord's evidence was entirely hearsay, based mostly on complaints from neighbouring tenants that were forwarded to the Landlord's Representative by the superintendent. None of the complaining tenants testified at the hearing or gave sworn written statements. The superintendent did not testify either. As such, there was insufficient evidence to find, on a balance of probabilities, that any of the Landlord's allegations occurred.
7. The Landlord also claimed costs to repair damage to the unit in the amount of \$45,000.00, from a fire the Tenant started on February 7, 2026. However, no evidence was presented to substantiate this amount. Therefore, this claim is dismissed.

It is ordered that:

1. The Landlord's application is dismissed.

May 14, 2026

Date Issued

Kate Sinipostolova

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.