



Order under Sections 69, 30, and 31 Residential Tenancies Act, 2006

File Number: LTB-L-008048-26
LTB-T-019203-26
LTB-T-104659-25

In the matter of: Apt A, 35 BELANGER AVE
TIMMINS ON P4N 2V2

Between: Brightside Property Management Inc. Landlords
Adil Virani

and

Kelsey Smith Tenant

L2/N5s Application (LTB-L-008048-26)

Brightside Property Management Inc. and Adil Virani (the 'Landlords') applied for an order to terminate the tenancy and evict Kelsey Smith (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 Landlords or another tenant

T2/T6 Application (LTB-T-019203-26)

Kelsey Smith (the 'Tenant') applied for an order determining that Adil Virani and Brightside property management (the 'Landlords'):

- substantially interfered with the reasonable enjoyment of the rental unit or residential complex by the Tenant or by a member of their household.
- harassed, obstructed, coerced, threatened or interfered with the Tenant.
- failed to meet the Landlords' maintenance obligations under the *Residential Tenancies Act, 2006* (the 'Act') or failed to comply with health, safety, housing or maintenance standards.

T2 Application (LTB-T-104659-25)

Kelsey Smith (the 'Tenant') applied for an order determining that Brightside Property Management, MG Property Management and Adil Virani (the 'Landlords'):

- substantially interfered with the reasonable enjoyment of the rental unit or residential complex by the Tenant or by a member of their household.
- harassed, obstructed, coerced, threatened or interfered with the Tenant.

The L2/N5s application (LTB-L-008048-26) was scheduled to be heard by videoconference on May 13, 2026.

On that date, the parties agreed to participate in Board facilitated mediation with the assistance of Dispute Resolution Officer (DRO) Denise Hannivan.

The Landlord Adil Virani, the Landlords' Agent Jing Wang, the Landlords' Representative Joshua K.A. Azan, and the Tenant participated in the mediation. On consent of the parties, two other applications (T2/T6 Application – LTB-T-019203-26 and T2 Application – LTB-T-104659-25) were brought forward and also mediated. The Tenant received legal advice about the applications.

As a result of the mediation, the parties requested an order on consent to resolve these applications and all issues related to this tenancy up to the date of the mediation, and I am satisfied that the parties understand the consequences of their consent, including waiving their right to a hearing on these applications.

Agreed Facts:

- 1) The Landlords will send contractors to the rental unit in the next two (2) weeks to finish/follow-up on sealing holes required for pest control now that the snow has melted. If this does not occur, the Tenant plans to follow-up with Municipal By-Law Enforcement.
- 2) The Landlords consent to the Tenant operating her business in the rental unit up to and including November 30, 2026. The Tenant will no longer operate the business out of the rental unit as of December 1, 2026.
- 3) If beyond a copy of this order, the City of Timmins requires written consent per paragraph 2) of the Agreed Facts of this order, the Landlords will provide written consent.
- 4) The Tenant is waiving the remedy of financial compensation for her T2 application – LTB-T-104659-25 regarding damage to lawn furniture.

It is ordered on consent of the parties that:

1. The Tenant shall stop operating her business at the rental unit on or before November 30, 2026.

2. If the Tenant fails to comply with the condition set out in paragraph 1 of this order, the Landlords may apply under section 78 of the *Residential Tenancies Act, 2006* (the 'Act') for an order terminating the tenancy and evicting the Tenant. The Landlords 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.
3. This order on consent is in full and final settlement of all three (3) applications and is a global resolution of all issues with the tenancy up to May 13, 2026.

May 15, 2026

Date Issued

Denise Hannivan

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.