



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-031700-24

In the matter of: 918, 100 HIGH PARK AVE
TORONTO ON M6P2S2

Between: Toronto Community Housing Corporation Landlord

And

Anthony Little Tenant

Toronto Community Housing Corporation (the 'Landlord') applied for an order to terminate the tenancy and evict Anthony Little (the 'Tenant') because:

- 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 involving the production of an illegal drug, the trafficking in an illegal drug or the possession of an illegal drug for the purposes of trafficking.

The Landlord also claimed compensation for each day the Tenant remained in the unit after the termination date.

This application was heard by videoconference on May 20, 2026.

The Landlord's Legal Representative, Chelsea Rostant attended the hearing. A witness for the Landlord, Sharoon Gill also attended the hearing.

As of 9:34 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 proven on a balance of probabilities the grounds for termination of the tenancy.
2. The Tenant was in possession of the rental unit on the date the application was filed.
3. On April 12, 2024, the Landlord gave the Tenant an N6 notice of termination. The notice of termination contains the allegation that an occupant or guest of the Tenant was arrested

at the rental unit and was in possession of 6.73 grams of cocaine and \$200.00 in cash deemed to be proceeds of crime.

Landlord's Witness- Sharoon Gill

4. Sharoon Gill testified at the time of the occurrence he was a Special Constable with the Toronto Police Major Crime Unit at 51 Division.
5. He testified on November 21, 2023, a search warrant was executed at the rental unit. He provided a copy of the General Occurrence Report. DOC-7922181, Page 2-4.
6. He testified that prior to the execution of the search warrant, members of his team at 51 Division entered a drug trafficking investigation. The target of the investigation was a person by the name of Tyrone Stewart. He testified the information they had obtained led them to believe that this person was at the rental unit.
7. He testified they applied for a search warrant and was granted authority, and the validity period was until November 21, 2023, at 11:59 pm.
8. He testified members of his team and himself approached the address of the rental unit on November 21, 2023, and executed the search warrant and located their target, Tyrone Stewart.
9. He testified the Tenant, Anthony Little was also present at the rental unit at the time of the search warrant.
10. He testified because of the search warrant they located 6.73 grams of cocaine and \$200.00 in cash. Five charges were laid against Tyrone Stewart. Two of the 5 charges were related to this application and are as follows:
 - a) Possess a schedule 1 substance for the purpose of trafficking (cocaine), CDSA 5(2).
 - b) Possess proceeds of crime, CC 354(1).
11. He testified the Tenant, Anthony Little was not charged as he was not the target of the of the investigation.

Analysis

12. Section 61(1) of the Act states that "A landlord may give a tenant notice of termination of the tenancy if the tenant or another occupant of the rental unit commits an illegal act or carries on an illegal trade, business or occupation or permits a person to do so in the rental unit or the residential complex."
13. Section 61(2) states a notice of termination under this section shall set out the grounds for termination and shall provide a termination date not earlier than,

- a) the 10th day after the notice is given, in the case of a notice grounded on an illegal act, trade, business or occupation involving,
 - (i) the production of an illegal drug
 - (ii) the trafficking in an illegal drug, or
 - (iii) the possession of an illegal drug for the purposes of trafficking; or
- b) the 20th day after the notice is given, in all other cases.

(3) Section 61(3) defines the following:

“illegal drug” means a controlled substance or precursor as those terms are defined in the Controlled Drugs and Substances Act (Canada); (“drogue illicite”)

“possession” has the same meaning as in the Controlled Drugs and Substances Act (Canada); (“possession”)

“production” means, with respect to an illegal drug, to produce the drug within the meaning of the Controlled Drugs and Substances Act (Canada); (“production”)

“trafficking” means, with respect to an illegal drug, to traffic in the drug within the meaning of the Controlled Drugs and Substances Act (Canada).

14. I am also having regard to LTB Interpretation Guideline 9: Eviction for an Illegal Act or Business which states:

The term "illegal" is not defined in the RTA but would include a serious violation of a federal, provincial or municipal law. If the illegality is trivial or technical, the act or business or occupation might not be considered serious enough to warrant eviction.

An illegal act will be serious if it has the potential to affect the character of the premises or to disturb the reasonable enjoyment of the landlord or other tenants.¹ The seriousness of this ground can be seen in the fact that there is no opportunity in section 61 for the tenant to avoid termination by rectifying the illegal act.

15. I accept the Landlord's witnesses uncontested testimony and evidence that an occupant of guest of the Tenant was arrested and charged with a) Possess a schedule 1 substance for the purpose of trafficking (cocaine), CDSA 5(2) and b) Possess proceeds of crime, CC 354(1).
16. The Tenant has placed other residents of the residential complex at risk, placing them in an unsafe position due to the violent nature of drug trade.
17. The Tenant has permitted a guest/occupant, Tyrone Stewart to commit an illegal act, trade, business or occupation involving the trafficking in an illegal drug at the rental unit.

Relief from eviction

18. I have considered all of the disclosed circumstances in accordance with subsection 83(2) of the *Residential Tenancies Act, 2006* (the 'Act'), and find that it would not be unfair to grant relief from eviction subject to the conditions set out in this order pursuant to subsection 83(1)(a) and 204(1) of the Act.
19. The Landlord's Legal Representative is not seeking termination of tenancy, but instead requested a conditional order, and I find that it would not be unfair to grant relief from eviction subject to the conditions below.
20. The Landlord's Legal Representative is also seeking the cost of the \$186.00 filing fee, and requested an extension to August 31, 2026, to allow the Tenant additional time to pay this amount.

It is ordered that:

1. The tenancy between the Landlord and the Tenant continues if the Tenant meets the conditions set out below.
 - a) The Tenant, occupant or guest will not possess any illegal drug for the purpose of trafficking at the rental unit or residential complex, for a period of one year from the date of this order.
2. If the Tenant fails to comply with the conditions set out in paragraph 1(a) 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.
3. The Tenant shall pay to the Landlord \$186.00 for the cost of filing the application.
4. If the Tenant does not pay the Landlord the full amount owing on or before August 31, 2026, the Tenant will start to owe interest. This will be simple interest calculated from September 1, 2026, at 4.00% annually on the balance outstanding.

May 22, 2026
Date Issued

Trish Carson
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.