



Order under Section 78(6) Residential Tenancies Act, 2006

Citation: County of Lambton Housing Services Dept v VanHoorn, 2026 ONLTB 42512

Date: 2026-05-29

File Number: LTB-L-033610-26

In the matter of: 303, 125 Euphemia Street
Sarnia ON N7T2Y6

Between: County of Lambton Housing Services Dept Landlord

And

Brooke VanHoorn Tenant

County of Lambton Housing Services Dept (the 'Landlord') applied for an order to terminate the tenancy and evict Brooke VanHoorn (the 'Tenant') because the Tenant failed to meet a condition specified in the order issued by the LTB on July 18, 2025 with respect to application LTB-L-045929-25.

A hearing was held by videoconference on May 27, 2026 to consider this application.

Only the Landlord attended the hearing.

As of 9:37 a.m., the Tenant was not present or represented at the hearing although properly served with notice of this hearing by the LTB. The Tenant was also served personally with the notice of hearing by the Landlord's Agent on April 20, 2026. The Tenant signed into the Board's portal at 5:23 a.m. on May 27, 2026 and consented to emails from the Board and changed their email address in the system. The Tenant also loaded documents into the portal between 8:00 a.m. and 8:30 a.m. There was no record of a request to adjourn the hearing, and the Tenant did not ask the Landlord for an adjournment. There was no record of any technical difficulties. As a result, the hearing proceeded with only the Landlord's evidence.

Determinations:

1. The order provides that the Landlord can apply to the LTB under section 78 of the *Residential Tenancies Act, 2006* (the 'Act') without notice to the Tenant to terminate the tenancy and evict the Tenant if the Tenant does not meet certain conditions in the order.
2. I find that the Tenant did not meet the following condition specified in the order:

1. The Tenant failed to ensure that she accompanies all occupants) and guests of the rental unit while in the common areas of the residential complex or on the residential complex. Specifically the Landlord's representative T Buono testified and provided video evidence that on April 6, 2026, April 7, 2026, April 14, 2026 and April 15, 2026, guests of the Tenant were seen loitering, sleeping in hallways in an intoxicated state and travelling throughout the residential complex unaccompanied by the Tenant. .
 2. The Tenant failed to make reasonable efforts to ensure that the occupants and guests of the rental unit to get involved in verbal or physical altercations on the residential complex. Specifically the Landlord's representative T Buono testified to a complaint received by another Tennat and provided video evidence that on April 15, 2026, the Tenant engaged in physical and verbal altercation with a male guest of the Tenant in the hallway of the residential complex.
 3. The Tenant failed to ensure occupants or guests do not leave or store any items in the common areas of the residential complex. Specifically the Landlord's representative T Buono testified and provided video evidence that on April 14, 2026 a male guest of the tenant left his bike in the hallway of the residential complex.
3. The application was filed within 30 days of the breach.

Relief from Eviction

4. 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 be unfair to grant relief from eviction pursuant to subsection 83(1) of the Act.
5. The Landlord provided oral testimony that on previous days, before bringing the L4 application the Tennat also breached the order but the Landlord accommodated the Tenant and did not breach the Tenant. Specifically, on August 26, 2025 a bicycle was left in the hallway twice by a male guest of the Tenant. On October 2, 2025 a female guest of the Tenant left the Tennat's rental unit, under the influence of a substance and slept in the hallway until security asked her to leave.
6. The Tenant did not attend to give evidence of their circumstances but I have considered that this is a social housing complex and the Tenant receives some form of rent subsidy. It may therefore be difficult for the Tenant to obtain alternate accommodations quickly and affordably.
7. However, I have also considered the prejudice to the Landlord and the numerous opportunities to correct the Tenant's behaviour they have had. If find it would not be unfair to grant the Landlord's L4 application and order termination of the tenancy on June 30, 2026. This gives the Tenant a reasonable extended period to organize resources and find alternate accommodations.
8. There is no last month's rent deposit.

It is ordered that:

1. Order LTB-L-045929-25 is cancelled.
2. The tenancy between the Landlord and the Tenant is terminated. The Tenant must move out of the rental unit on or before June 30, 2026.
3. If the unit is not vacated on or before June 30, 2026, then starting July 1, 2026, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
4. Upon receipt of this order, the Court Enforcement Office (Sheriff) is directed to give vacant possession of the unit to the Landlord on or after July 1, 2026.

May 29, 2026
Date Issued

Julie Broderick
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.

In accordance with section 81 of the Act, the part of this order relating to the eviction of the Tenant expires on December 31, 2026 if the order has not been filed on or before this date with the Court Enforcement Office (Sheriff) that has territorial jurisdiction where the rental unit is located.