



Order under Section 69 Residential Tenancies Act, 2006

Citation: London and Middlesex Community Housing v Beatty, 2026 ONLTB 43045

Date: 2026-06-05

File Number: LTB-L-097799-25

In the matter of: 1011 SOUTHDALE RD E
LONDON ON N6E1B3

Between: London and Middlesex Community Housing Landlord

And

Brianna Beatty Tenant

London and Middlesex Community Housing (the 'Landlord') applied for an order to terminate the tenancy and evict Brianna Beatty (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 Landlord also claimed compensation for each day the Tenant remained in the unit after the termination date.

This application was heard by videoconference on April 21, 2026.

The Landlord, represented by Corrie Sanford and Jennifer Stevens, the Tenant and the Tenant's representative Betsy Broad, attended the hearing.

Preliminary Issue:

1. The Tenant's request for a closed hearing is denied. I am not satisfied, based on the submissions made in support of the request, that the Tenant's privacy interest outweighs the public interest in the openness in this case. The Tenant will have the ability to address issues raised in the application without providing specific medical information or names. The observers in the room have been cautioned to respect the privacy of the parties and the nature of the evidence. The Tenant is able to participate at the hearing; she has a representative to assist her today and breaks may be taken as required to assist the Tenant. Openness does not pose a serious risk to the administration of justice.

Determinations:

1. As explained below, the Landlord has proven on a balance of probabilities the grounds for termination of the tenancy and/or the claim for compensation in the application.
2. The Tenant was in possession of the rental unit on the date the application was filed.
3. On October 15, 2025, the Landlord gave the Tenant a first, voidable N5 notice of termination. The Tenant was cautioned not to record people, including children playing, at the residential complex, and sending the videos to the Landlord. The Tenant makes allegations related to the actions seen on the videos. Therefore, the Landlord was allowed to give the Tenant a second, non-voidable N5 notice of termination under section 68 of the *Residential Tenancies Act, 2006* (Act).
4. On November 5, 2025, the Landlord gave the Tenant a second N5 notice of termination. The notice of termination contains the following allegations: the Tenant is sending emails to a community agency with details relating to other tenants' and their children, the specific unit numbers, and allegations related to family dynamics, alleged criminal acts, and other conduct. The Landlord asserts that the Tenant's acts in providing unfounded allegations and private information substantially interferes with other tenant's reasonable enjoyment.
5. The Tenant has recorded others at the residential complex and communicated various facts and information to others. The information relates to alleged conduct and behaviour of others which includes their address.
6. The evidence established that the Tenant has hidden in bushes and secretly records others at the residential complex. Moreover, when tenants and the children ask her to stop, the Tennat ignores them and continues to record. While general recording of a public place is permissible, especially in common areas where there is no expectation of privacy, it becomes a concern when someone is hiding and recording, when the intent of the recording is targeting specific people or when it is done in a manner that intimidates others. If people are consistently being photographed / recorded against their will, it does impact their reasonable enjoyment of the residential complex.
7. This conduct has substantially interfered with the Landlord's and other tenants' reasonable enjoyment of the residential complex, and substantially interferes with a lawful right, privilege or interest of the Landlord and the other tenants.
8. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
9. 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.

It is ordered that:

1. The tenancy between the Landlord and the Tenant continues if the Tenant meets the conditions set out below.

2. The Tenant shall not

1. Photograph or record others at the residential complex in a manner that interferes with their reasonable enjoyment. The Tenant ought not hide and photograph / record others. If she is asked to stop photographing / recording, or people expressly state they do not want to be captured in a photograph/video, the Tenant shall stop taking photographs or recordings of that person.
2. communicate allegations about other tenants and/or their children, nor shall she provide the private address of tenants and/or their children to agency staff.
3. If the Tenant fails to comply with the conditions set out in paragraph 2 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 and on or before December 31, 2026. This application is made to the LTB without notice to the Tenant.
4. The Tenant shall pay to the Landlord \$186.00 for the cost of filing the application.
5. The total amount the Tenant must pay the Landlord is \$186.00.
6. If the Tenant does not pay the Landlord the full amount owing on or before June 16, 2026, the Tenant will start to owe interest. This will be simple interest calculated from June 17, 2026, at 4.00% annually on the balance outstanding.

June 5, 2026
Date Issued

Jeanie Theoharis
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 17, 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.