



Order under Section 94.7 / 94.15 Residential Tenancies Act, 2006

File Number: LTB-C-013036-26

In the matter of: 310, 7 Glenburn Avenue
East York ON M4B 2W9

Between: Liberty Housing Cooperative Inc Co-op

And

Prabakaran Karthigesu Co-op Member

Liberty Housing Cooperative Inc (the 'Co-op') applied for an order to end the occupancy of the member unit and evict Prabakaran Karthigesu (the 'Co-op Member') because:

- the Co-op Member, another occupant of the member unit or a person the Co-op Member permitted in the residential complex seriously impaired the safety of any person and the act or omission occurred in the residential complex.

The 'Co-op' also applied for an order requiring the Co-op Member to pay the Co-op's reasonable out-of-pocket costs the Co-op has incurred or will incur to repair or replace undue damage to property. The damage was caused wilfully or negligently by the Co-op Member, another occupant of the member unit or someone the Co-op Member permitted in the residential complex.

A Case Management Hearing (CMH) was held on March 11, 2026. The Co-op Member did not attend the CMH.

This application was heard by videoconference on June 2, 2026.

Only the Co-op's Agent, Pinki Morales, attended for the Co-op.

As of 9:19 a.m., the Co-op Member 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 Co-op's evidence.

It is determined that:

1. As explained below, the Co-op has proven on a balance of probabilities the grounds for termination of the occupancy. However, the Co-op's agent submitted that the Co-op is not seeking termination of the occupancy and is requesting a conditional order.
2. The Co-op Member did not file a response to the application. Therefore, they are deemed to have accepted all the facts and allegations in the application pursuant to Rule 12.5 of the LTB's Rules of Procedure.
3. As of the hearing date, the Co-op Member was still in possession of the member unit.

N7C Notice of Termination – Serious Impairment of Safety

4. On February 4, 2026, the Co-op gave the Co-op Member an N7C notice of termination. The notice of termination contains alleges that on or about March 18, 2025, the Co-op Member was captured by onsite video waving a large machete and a knife, while on the elevator and the 3rd floor of the residential complex.
5. The Co-op's agent testified that she was the author of the notice of termination and confirmed the contents of the notice. Photos were submitted of the incident on March 18, 2025, which showed the Co-op Member carrying a machete while looking directly at the camera on the elevator and the 3rd floor of the residential complex.
6. Based on the uncontested evidence before, I am satisfied on a balance of probabilities, that the Co-op Member has seriously impaired the safety of other members in the residential complex by waving a large machete and a knife, while on the elevator and the 3rd floor of the residential complex.
7. On the basis of the uncontested evidence, I find that the Co-op has proven their case on a balance of probabilities.

Damage claim

8. The Co-op's agent submitted that they are withdrawing their claim for damages in application, in the amount of \$300.00.

Relief from eviction

9. The Co-op is not seeking termination of the occupancy, they only seek a conditional order requiring the Co-op Member, for a period of 12 months, to not seriously impair the safety of the Co-op's staff or another member within the residential complex by carrying any items on their person that may be used as a weapon, or use aggressive behaviour towards Co-op staff or another co-op member within the residential complex.

10. The Co-op Member did not attend the hearing therefore they did not present their circumstances for my consideration.
11. The authority to issue a conditional order comes from subsection 204(1) of the Act which provides that “the Board may include in an order whatever condition it considers fair in the circumstances,” and from section 94 which provides for an enforcement procedure if a conditional order is contravened.
12. I have considered all of the disclosed circumstances in accordance with subsection 94.12(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 94.12(1)(a) and 204(1) of the Act.

It is ordered that:

1. The Co-Op Member's occupancy continues if the Co-op Member meets the conditions set out below.
2. For the period of 12 months from the date of this order, the Co-op Member shall not seriously impair the safety of Co-op's staff or another co-op member within the residential complex by specifically, but not limited to, carrying any items on their person that may be used as a weapon, or use aggressive behaviour towards Co-op staff or another co-op member within the residential complex.
3. If the Co-op Members fails to comply with the conditions set out in paragraph 2 of this order, the Co-op may apply under section 94.11 of the *Residential Tenancies Act, 2006* (the 'Act') for an order terminating the tenancy and evicting the Co-op Member. The Co-op must make the application within 30 days of a breach of a condition. This application is made to the LTB without notice to the Co-op Member.

June 10, 2026
Date Issued

Colette Myers

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.