



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

File Number: LTB-L-021805-26

In the matter of: 208, 588 ALBERT ST W
SAULT STE. MARIE ON P6A1C5

Between: Sault Ste. Marie Housing Corporation Landlord

And

Tyrone Rice Tenant

Sault Ste. Marie Housing Corporation (the 'Landlord') applied for an order to terminate the tenancy and evict Tyrone Rice (the 'Tenant') and for an order to have the Tenant pay compensation for damage they owe because the Tenant failed to meet a condition specified in the order issued by the LTB on with respect to application LTB-L-064557-25.

A hearing was held by videoconference on April 14, 2026 to consider this application.

The Landlord's Agent Carrie Seabrook, Tenant's Agent Tony Boniferno, Tenant's Agent Katherin Iezzi and the Tenant Tyrone Rice attended the hearing.

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 Landlord has not established, on a balance of probabilities, that the Tenant failed to meet a condition specified in the order issued with respect to application LTB-L-064557-25. The Landlord did not file any evidence before the day of the hearing to substantiate the alleged breach of the prior order, nor did the application identify the date of the alleged breach. On the day of the hearing, the Landlord sought to rely on evidence that had not previously been disclosed to the Tenant and had been filed late with the Board. I refused to admit that evidence because it was filed late and had not been disclosed to the Tenant in advance of the hearing.

3. As a result, the application does not set out sufficient particulars to establish the alleged breach, including the date of the incident relied upon by the Landlord. Further, after the LTB endorsement was issued, the Landlord did not file evidence in support of the application or amend the application to provide the required particulars. In the absence of properly filed and disclosed evidence establishing a breach of the prior order, the Landlord's application must be dismissed.

It is ordered that:

1. The Landlord's application is dismissed.

June 10, 2026
Date Issued

Kyle Anderson
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.