



**Order under Section 69
Residential Tenancies Act, 2006**

File Number: LTB-L-037937-26

In the matter of: 611, 2950 LAWRENCE AVE E
SCARBOROUGH ON M1P 2T9

Between: Toronto Seniors Housing Corporation Landlord

And

Roger Garnet Gabriel Tenant

Toronto Seniors Housing Corporation (the 'Landlord') applied for an order to terminate the tenancy and evict Roger Garnet Gabriel (the 'Tenant') because:

- the Tenant has knowingly misrepresented the Tenant's income or the income of other members of the Tenant's household.

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 June 1, 2026.

The Landlord's legal representative, Adam Fraccaro and the Tenant attended the hearing.

Procedural Note:

1. The Landlord served a valid N6 Notice of Termination on April 1, 2026 and filed an L2 application on April 30, 2026 alleging the Tenant had misrepresented their income. The parties came before me and entered a consent. One term agreed was that the Tenant would permit monthly inspections where deemed necessary by the Landlord, the Landlord would provide lawful Notice to Enter ('NOE') and the Tenant shall not refuse entry to the Landlord when lawful notice had been provided.
2. I am unable to order this term be subject to a section 78 due to section 78(1) 2(i) which requires that any conditions imposed on the tenant that, if not met by the tenant, would give rise to the same grounds for terminating the tenancy as were claimed in the original application. As such, I have set out the term as an agreed fact of the parties.

Agreed Facts:

1. The Tenant agrees to monthly inspections of the rental unit, where the Landlord deems necessary. When the Landlord provides written notice, the Tenant shall be given at least

24 hours before the time of entry. Once lawful notice has been provided by the Landlord, the Tenant shall not to refuse entry to the Landlord.

On consent of the parties, 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:
 - a. Notify the Landlord of any changes to the household composition;
 - b. Ensure any guest(s) of the Tenant will not reside within the rental unit without the express written consent of the Landlord; and,
 - c. Ensure that any guest(s) of the Tenant are not residing within the rental unit for more than 30 calendar days within a calendar year. With respect to the days the guest(s) reside in the rental unit, the days will be calculated for each day the Tenant has guest(s) stay within the rental unit and do not need to be on a consecutive basis.
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. This application is made to the LTB without notice to the Tenant.
4. The Tenant shall also pay to the Landlord \$186.00 for the cost of filing the application on or before July 31, 2026.
5. If the Tenant does not pay the Landlord the full amount owing on or before July 31, 2026, the Tenant will start to owe interest. This will be simple interest calculated from August 1, 2026 at 4.00% annually on the balance outstanding.

June 18, 2026
Date Issued

Angela Smith
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.