



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-012179-26

In the matter of: 206, 200 DENISTOUN ST
WELLAND ON L3C 7E5

Between: Equiton Residential Income Fund LP Landlord

and

Kathy Steers Tenant

Equiton Residential Income Fund LP (the 'Landlord') applied for an order to terminate the tenancy and evict Kathy Steers (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.

The parties attended a hearing scheduled on June 10, 2026 by videoconference.

The Landlord's Agent Laveena Sansal, the Tenant's Support Person Anita Duchene, and the Tenant engaged in private settlement discussions. The parties advised that they reached an agreement. At the meeting with Dispute Resolution Officer (DRO) Denise Hannivan, the parties then engaged in mediation. The Tenant received legal advice about this application.

As a result of the mediation, the parties requested an order on consent to resolve this application, and I am satisfied that the parties understand the consequences of their consent, including waiving their right to a hearing on this application.

Agreed Facts:

- 1) Tenants at this residential complex may smoke 9 metres from the residential complex building.
- 2) The Tenant will clean the rental unit to try to eliminate the smell of smoke.
- 3) The Landlord will inspect the Tenant's rental unit on July 31, 2026 and August 31, 2026 with proper notice and check for the smell of smoke.
- 4) The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs. The Tenant has already paid the \$186.00 filing fee 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. For a period of one year, starting June 10, 2026 and ending June 9, 2027, the Tenant, another occupant of the rental unit, or the Tenant's guests shall not substantially interfere with the Landlord's or another tenant's lawful rights, privileges, and interests and/or reasonable enjoyment of the residential complex. More specifically, the Tenant or another occupant or guest of the Tenant's rental unit shall not engage in the behaviours described in the N5 Notice of Termination dated January 23, 2026 by **not smoking in the rental unit or in the residential complex building**.
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. This order is in full and final settlement of this application.

June 12, 2026
Date Issued

Denise Hannivan
Hearings Officer, 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.

