



**Order under Section 78(11)
Residential Tenancies Act, 2006**

File Number: LTB-L-033620-26-SA

In the matter of: 4, 106 DUNDAS ST W
TRENTON ON K8V3P3

Between: SITESHAPERS INC.

Landlord

And

TJ Atkinson
Rachel Chamberlain

Tenants

SITESHAPERS INC. (the 'Landlord') applied for an order to terminate the tenancy and evict TJ Atkinson and Rachel Chamberlain (the 'Tenants') and for an order to have the Tenants pay compensation for damage they owe because the Tenants did not meet a condition specified in the order issued by the LTB on October 2, 2025 with respect to application LTB-L-019464-25.

The Landlord's application was resolved by order LTB-L-033620-26, issued on April 21, 2026. This order was issued without a hearing being held.

The Tenants filed a motion to set aside order LTB-L-033620-26.

This motion was heard by videoconference on June 11, 2026. The Landlord represented by Jimmy Gangadin, and the Tenants, attended the hearing.

Determinations:

1. Order LTB-L-019464-25 issued on October 2, 2025, granted relief from eviction on the condition that the Tenants, or their guests or occupants, store items or garbage in the hallways; and do not substantially interfere with reasonable enjoyment or lawful right, privilege of interest of the Landlord or another tenant by being intoxicated by drugs or alcohol in common areas, use drugs or alcohol in common areas, smoke in common areas, or loudly talk, shout, scream, swear or otherwise make excess noise.
2. Video evidence DOC-7810065 taken on April 12, 2026, among other evidence, shows that the Tenants have continued to store items in the hallway and can be heard loudly yelling. The items remain in the hallway. The Tenants acknowledged that they have left these items in the hallway and testified that they will have a truck to remove them. I note that the items have now been in the hallway for two months.

3. The Landlord's evidence includes a complaint letter from another tenant about screaming and fighting on April 12/13th from 11am – 3am. The letter makes the Landlord aware that the Tenants are allowing know criminals into the building all the time and bring people in from the streets to shower. Their friends are smoking drugs and they make the building feel unsafe.
4. The Landlord introduced video footage of non-residents in the hallways appearing to use drugs. One individual was urinating in the corner. An individual left the Tenants' unit and vomited which was then cleaned up by Ms. Chamberlain at 5:30am.
5. The police have been involved with the fights between the Tenants.
6. The Tenants claim that they are not involved with the people in the videos but also testified that they leave the door open for people to come in because there is no intercom.
7. I find the Tenants have breached the conditions for relief from eviction by yelling and screaming, and by knowingly and willfully storing items in the hallway for an extended period of time. I find The Tenants have permitted individuals into the residential complex who have substantially interfered with the Landlord's lawful rights and interfered with the reasonable enjoyment of other tenants.
8. After considering all of the circumstances, I find that it would be unfair to set aside order LTB-L-033620-26.

It is ordered that:

1. The motion to set aside Order LTB-L-033620-26, issued on April 21, 2026, is denied.
2. The stay of order LTB-L-033620-26 is lifted immediately.
3. Order LTB-L-033620-26 is unchanged.

June 19, 2026

Date Issued

Greg Joy

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.

