



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

File Number: LTB-L-015216-26

In the matter of: 106, 115 CAMBRIDGE PL
SAULT STE. MARIE ON P6A6E8

Between: Cambridge Gardens c/o The Silver Group Landlord

And

Katrina Cugun-Maxwell Tenant

Cambridge Gardens c/o The Silver Group (the 'Landlord') applied for an order to terminate the tenancy and evict Katrina Cugun-Maxwell (the 'Tenant') because the Tenant, another occupant of the rental unit or a person the Tenant permitted in the residential complex has seriously impaired the safety of any person and the act or omission occurred in the residential complex.

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 10, 2026.

Only the Landlord's agent, Jason Walker, attended the hearing.

As of 9:44 a.m., the Tenant 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 Landlord's evidence.

Determinations:

1. As explained below, the Landlord has not proven on a balance of probabilities the grounds for termination of the tenancy and the claim for compensation in the application. Therefore, the application is dismissed.
2. The Tenant was in possession of the rental unit on the date the application was filed.

N7 Notice of Termination

3. On February 18, 2026, the Landlord gave the Tenant an N7 notice of termination, with the termination date of March 1, 2026. The notice of termination contains the following allegations: On February 14, 2026, the Tenant seriously impaired safety of another person

in the residential complex. The Tenant and another unknown person drove behind another tenant and instructed them to “get into the car in 10 seconds or I am going to kill you”.

Serious Impairment of Safety

4. The Landlord has not proven that the Tenant or a person permitted in the residential complex by the Tenant has seriously impaired the safety of another tenant in the residential complex.
5. The Landlord called Carla Schweinzer (“C.S.”) forward as a witness. C.S. testified that she resides in the residential complex, which consists of three separate buildings. All three buildings share an underground parking lot. The incident described in the N7 notice occurred in the parking lot of the residential complex. C.S. testified that on February 14, 2026, as she was going to her vehicle in the parking lot, the Tenant and another individual approached her in their car and told her to get in or they were going to kill her. C.S. testified that when she did not comply, the Tenant got out of her vehicle and started walking toward her. C.S. said she called 911 and told the operator she required the police as her life was being threatened. The Tenant ran back into her car and drove off. The police spoke with the Tenant at her place of work and advised her to not be alone in the parking lot. The Tenant was then charged by the police.
6. On a balance of probabilities, I am not satisfied that the Tenant seriously impaired the safety of another tenant in the residential complex. I make this finding because although C.S. testified to the events that occurred on February 14, 2026, between her and the Tenant, the Landlord failed to adduce any documentary evidence to support their position. C.S. testified that the police were called and that the Tenant was charged, however, the Landlord failed to adduce the police report or police incident number into evidence to support these allegations. I would have reasonably expected the Landlord to provide these documents into evidence as they would have been easily attainable. Furthermore, C.S. testified that there is a history of similar complaints with the Tenant and other tenants in the residential complex, but the Landlord did not submit any of these complaints into evidence, nor did they summons any other witnesses to come forward to testify to this and I consider these allegations to be hearsay. Although hearsay evidence is admissible at the Board, I put little weight on this hearsay evidence at C.S. would not have direct knowledge of the other tenants’ complaints and the Landlord’s agent did not speak to these at the hearing.
7. Therefore, the Landlord’s application is dismissed.

It is ordered that:

1. The Landlord’s application is dismissed.

June 24, 2026
Date Issued

Vishal Nanda
 Member, Landlord and Tenant Board

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If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.