



Order under Section 31 Residential Tenancies Act, 2006

File Number: LTB-T-100810-25

In the matter of: Upper Unit, 21 Windsor Rd
Etobicoke ON M9R3G2

Between: Fulkan Ucar Tenant
And
Suna Yegen Landlords
Hekber Arslan

Monte Window Coverings (the 'Tenant') applied for an order determining that Suna Yegen and Hekber Arslan (the 'Landlords'):

- substantially interfered with the reasonable enjoyment of the rental unit or residential complex by the Tenant or by a member of their household.
- withheld or interfered with their vital services or care services and meals in a care home.

This application was heard by videoconference on June 23, 2026.

The Landlords and the Tenant attended the hearing. Cangizjohn Arslan attended as a support person for the Landlords.

At the hearing, the parties consented to the following order.

It is ordered on consent that:

1. Upon receiving complaints from the Tenant about cigarette smoke from the basement unit below substantially interfering with his enjoyment of his rental unit, the Landlords agree that they shall take all necessary steps required to remedy the issue, up to and including the following:
 - a. Cautioning the occupant of the basement unit about the possibility of being evicted for smoking in the rental unit;
 - b. If the issue persists, issuing an N5 Notice of Termination against the occupant of the downstairs rental unit; and,

- c. If the downstairs tenant remains in the unit and continues to smoke inside the unit after receiving an N5 Notice of Termination, the Landlord agrees to file an application at the Landlord and Tenant Board to terminate the tenancy.

June 26, 2026
Date Issued

Jeremy Henderson
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.