



**Order under Section 78(6)
Residential Tenancies Act, 2006**

File Number: LTB-L-019783-26

In the matter of: E, 407 DUNSDON ST
BRANTFORD ON N3P1W4

Between: Victoria Park Community Homes Landlord

And

Sarah Sutton Tenants
Matthew Smith

Victoria Park Community Homes (the 'Landlord') applied for an order to terminate the tenancy and evict Sarah Sutton and Matthew Smith (the 'Tenants') because the Tenants failed to meet a condition specified in the order issued by the LTB on with respect to application LTB-L-059718-25.

A hearing was held by videoconference on June 25, 2026 to consider this application. The Landlord's representative Patrick Langille, and the Tenant Sarah Sutton, represented by Janis Taylor, attended the hearing. The Landlord's Property Manager Alexander Agular and Resident Manager Adam Stadnicki, attended as witnesses for the Landlord.

Determinations:

1. The Landlord alleges that the Tenants breached the condition of order LTB-L-059718-25 by causing excessive noise between the hours of 10:00pm and 7:00am.
2. In order LTB-L-059718-25, the parties agreed that the Landlord would inform the Tenants in the event of excessive noise event, and that the Landlord would only file an application under section 78 should an issue re-occur within 7 days.
3. The Landlord disclosed no evidence that the Tenants were informed of an excessive noise event before the Landlord filed the application under section 78.
4. Due to the insufficient evidence to determine that the Landlord complied with the terms of the consent order, I find the Landlord's application must be dismissed.

It is ordered that:

1. The Landlord's application is dismissed.

2. Order LTB-L-059718-25 remains in effect.

June 30, 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.