



Order under Section 69 Residential Tenancies Act, 2006

Citation: Sarah McDonald Place v Bernard, 2026 ONLTB 51001

Date: 2026-06-29

File Number: LTB-L-011441-26

In the matter of: 307, 1467 Whites Rd
Pickering ON L1V6X1

Between: Sarah McDonald Place Landlord

And

Mark Bernard Tenant

Sarah McDonald Place (the 'Landlord') applied for an order to terminate the tenancy and evict Mark Bernard (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

This application was heard by videoconference on May 19, 2026.

The Landlord's Legal Representative Geoff Paine, the Landlord's Agent Sandra Smith, the Tenant Mark Bernard, and the Tenant's Legal Representative Priya Kundan attended the hearing.

Determinations:

1. As explained below, the Landlord has not proven on a balance of probabilities the grounds for termination of the tenancy. Therefore, the application is dismissed.
2. The Tenant was in possession of the rental unit on the date the application was filed.
3. On December 11, 2025, the Landlord gave the Tenant an N5 notice of termination ('N5 Notice'), alleging that the Tenant substantially interfered with the Landlord's rights by storing a blue mat and a broom in his assigned parking spaces.
4. It was undisputed that the Tenant has two assigned parking spaces in the underground garage and had a mat and broom stored there in 2025. It was also undisputed that the Tenant removed both items shortly after the application was filed and has kept his parking spaces clear since then.

5. The Landlord's Agent indicated that loose items cannot be stored in the garage as this is a liability and safety concern, and a breach of the Fire Code. However, no specific section of the Fire Code was referenced. It is unclear how a mat lying on the floor under a vehicle or a broom resting against the wall of a parking space would cause any safety issue or interference. Moreover, the Tenant has removed both items, kept the parking spaces clear since then, and indicated that he will continue to do so going forward.
6. I am not satisfied, on a balance of probabilities, that the Tenant substantially interfered with the Landlord's reasonable enjoyment or lawful right, privilege or interest. Therefore, the application is dismissed.

It is ordered that:

1. The Landlord's application is dismissed.

June 29, 2026
Date Issued

Kate Sinipostolova
Member, Landlord and Tenant Board

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