



**DEC 15, 2023**

**Order under Section 16.1 of the  
Statutory Powers Procedure Act  
and the Residential Tenancies Act, 2006**

**Citation:** Garcia v Fournier, 2023 ONLTB 79651

**Date:** 2023-12-15

**File Number:** LTB-L-053990-23-IN

**In the matter of:** B, 269 ST PHILIPPE ST  
ALFRED ON K0B1A0

**Between:** Jairo Garcia Landlord

**And**

Stephane Marcel Fournier Tenant

**INTERIM ORDER**

Jairo Garcia (the 'Landlord') applied for an order to terminate the tenancy and evict Stephane Marcel Fournier (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 Tenant, another occupant of the rental unit or someone the Tenant permitted in the building has substantially interfered with the reasonable enjoyment or lawful right, privilege or interest of the Landlord in a building that has three or fewer residential units and the Landlord resides in the building.

The Landlord also claimed compensation for each day the Tenant remained in the unit after the termination date.

The Landlord applied for an order requiring the Tenant to pay the Landlord's reasonable out-of-pocket expenses that are the result of the Tenant's conduct or that of another occupant of the rental unit or someone the Tenant permitted in the residential complex. This conduct substantially interfered with the Landlord's reasonable enjoyment of the residential complex or another lawful right, privilege or interest.

This application was heard by videoconference on November 28, 2023.

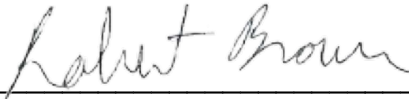
The Landlord's Representative, Lisa Duchene, the Landlord, and the Tenant attended the hearing. The Tenant was assisted by Tenant Duty Counsel, Alexis Fafard.

The hearing was adjourned because the Tenant requires the French Language Services offered by the Board.

**It is ordered that:**

1. This matter is adjourned to a date to be determined by the Board.
2. The parties shall provide to each other, and the Board, any additional evidence they intend to rely on at the next scheduled hearing, no later than December 29, 2023.
3. If a party does not comply with this order, the Member may refuse to accept or consider the party's evidence and submissions.
4. I am not seized of this matter.

**December 15, 2023**  
**Date Issued**

  
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Robert Brown  
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.