



**Order under Section 69 / 88.1 / 89  
Residential Tenancies Act, 2006**

**Citation:** Found Spaces Property Management Inc v Cyfko, 2023 ONLTB 72301

**Date:** 2023-11-08

**File Number:** LTB-L-038905-23

**In the matter of:** 308, 220 CANNON ST E  
HAMILTON ON L8L2B1

**Between:** Found Spaces Property  
Management Inc

**And**

Johnathon Cyfko  
Jessica Blakeley

I hereby certify this is a  
true copy of an Order dated

**NOV 8, 2023**

Landlord and Tenant Board

Landlord

Tenants

Found Spaces Property Management Inc (the 'Landlord') applied for an order to terminate the tenancy and evict Johnathon Cyfko and Jessica Blakeley (the 'Tenants') because:

- the Tenants, another occupant of the rental unit or a person the Tenants permitted in the residential complex has seriously impaired the safety of any person and the act or omission occurred in the residential complex; and
- the Tenants, another occupant of the rental unit or someone the Tenants permitted in the residential complex has wilfully caused undue damage to the premises.

The Landlord also applied for an order requiring the Tenants to pay the Landlord's reasonable out-of-pocket costs the Landlord has incurred or will incur to repair or replace undue damage to property. The damage was caused wilfully or negligently by the Tenant, another occupant of the rental unit or someone the Tenant permitted in the residential complex.

The Landlord also applied for an order requiring the Tenants 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 October 25, 2023.

The Landlord's Legal Representative, Carrie Aylwin, and the Tenants' Legal Representative, Yad Asaad, attended the hearing.

The parties mutually agreed to resolve all matters at issue in the application and requested an order on consent. I was satisfied that the parties understood the consequences of the joint submission.

**On consent of the parties, it is ordered that:**

1. The Tenants will not enter the parking garage located at the residential complex for any reason for a period of twelve (12) months.
2. The Tenants and/or the Tenants' guests will refrain from loitering in the stairwells of the residential complex.
3. The Tenants and/or the Tenants' guests will not tamper with or damage the property of any resident residing in the residential complex.
4. If the Tenants fail to comply with the conditions set out in paragraphs 1, 2, or 3 of this order and for a period of twelve (12) months from the date of this order, the Landlord may apply under section 78 of the *Residential Tenancies Act, 2006* (the 'Act') for an order terminating the tenancy and evicting the Tenants. The Landlord must make the application within 30 days of a breach of a condition. This application is made to the LTB without notice to the Tenants.
5. The Tenants shall pay to the Landlord \$186.00 for the cost of filing the application.
6. If the Tenants do not pay the Landlord the full amount owing on or before November 30, 2023, the Tenant will start to owe interest. This will be simple interest calculated from December 1, 2023 at 7.00% annually on the balance outstanding.

**November 8, 2023**  
**Date Issued**

  
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Susan Priest  
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.