



Order under Section 69
Residential Tenancies Act, 2006

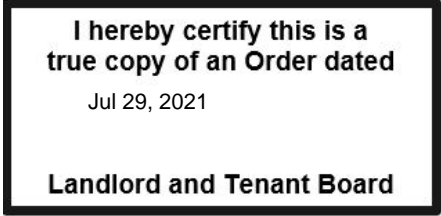
File Number: NOL-41599-20

In the matter of: 17, 1040 CLARENCE STREET
NORTH BAY ON P1B3W4

Between: John Miller

and

Brianna Hansen



Landlord

Tenant

John Miller (the 'Landlord') applied for an order to terminate the tenancy and evict Brianna Hansen (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. ; because the Tenant or another occupant of the rental unit has committed an illegal act or has carried out, or permitted someone to carry out an illegal trade, business or occupation in the rental unit or the residential complex involving the production of an illegal drug, the trafficking in an illegal drug or the possession of an illegal drug for the purposes of trafficking

This application was heard in Passcode: 661 8111 2101# on June 28, 2021.

Only the Landlord attended the hearing.

Determinations:

1. On or about December 8, 2020 police arrested four people in the rental unit and seized fentanyl, methamphetamines, digital scale, cash and weapons. On a balance of probability, I find that the Tenant, a guest of the Tenant or an occupant of the rental unit committed an illegal act involving drugs for the purposes of trafficking. This was corroborated by the Landlord's testimony and 3 orders issued by the Court of Justice.
2. I have considered all of the disclosed circumstances in accordance with subsection 83(2) of the *Residential Tenancies Act, 2006* (the 'Act'), and find that it would be unfair to grant relief from eviction pursuant to subsection 83(1) of the Act. The Landlord testified he receives regular complaints from tenants that report people continue to traffic in and out of the rental unit after the incident on December 8, 2020.

It is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated, as of August 9, 2021. The Tenant must move out of the rental unit on or before August 9, 2021.
2. The Tenant shall pay to the Landlord \$186.00 for the cost of filing the application.

3. If the Tenant does not pay the Landlord the full amount owing on or before August 9, 2021, the Tenant will start to owe interest. This will be simple interest calculated from August 10, 2021 at 2.00% annually on the balance outstanding.
4. If the unit is not vacated on or before August 9, 2021, then starting August 10, 2021, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
5. Upon receipt of this order, the Court Enforcement Office (Sheriff) is directed to give vacant possession of the unit to the Landlord on or after August 10, 2021. The Sheriff is requested to expedite the enforcement of this order.

July 29, 2021
Date Issued


Sandra Macchione
Member, Landlord and Tenant Board

Northern-RO
199 Larch Street, Provincial Building, Suite 301
Sudbury ON P3E5P9

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

In accordance with section 81 of the Act, the part of this order relating to the eviction expires on February 10, 2022 if the order has not been filed on or before this date with the Court Enforcement Office (Sheriff) that has territorial jurisdiction where the rental unit is located.