



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

Citation: tamsv v Michaels, 2023 ONLTB 64026

Date: 2023-09-25

File Number: LTB-L-055852-23

In the matter of: 208, 4075 Old Dundas Street
Toronto Ontario M6S2R7

Between: Grandview Property Management Landlord

And

Christopher Michaels Tenant

Grandview Property Management (the 'Landlord') applied for an order to terminate the tenancy and evict Christopher Michaels (the 'Tenant') and for an order to have the Tenant pay the rent they owe because the Tenant failed to meet a condition specified in the order issued by the Board on July 5, 2023 with respect to application LTB-L-027115-22.

A hearing was held by videoconference on September 14, 2023 to consider this application. Only the Landlord attended the hearing.

As of 10:30am, the Tenant was not present or represented at the hearing although properly served with notice of this hearing by the LTB. There was no record of a request to adjourn the hearing. As a result, the hearing proceeded with only the Landlord's evidence.

Determinations:

1. The order provides that the Landlord can apply to the LTB under section 78 of the *Residential Tenancies Act, 2006* (the 'Act') without notice to the Tenant to terminate the tenancy and evict the Tenant if the Tenant does not meet certain conditions in the order.
2. The Tenant has made no payments.
3. The Tenant owes the Landlord \$32,931.55 to September 25, 2023.
4. The rent deposit
The Landlord collected a rent deposit of \$1,850.00 from the Tenant and this deposit is still being held by the Landlord.

It is ordered that:

1. LTB-L-027115-22 is cancelled and replaced with the following.

2. The tenancy between the Landlord and the Tenant is terminated. The Tenant must move out of the rental unit on or before October 6, 2023.
3. If the unit is not vacated on or before October 6, 2023, then starting October 6, 2023, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
4. 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 October 6, 2023.
5. The Tenant shall pay to the Landlord \$31,081.55 representing arrears, costs less the last month rent deposit.
6. The Tenant shall pay to the Landlord \$60.82 for each day the Tenant occupies the rental unit commencing September 26, 2023 until the Tenant vacates the unit.
7. If the Tenant does not pay the full amount owing by October 1, 2023 the Tenant will owe interest. This will be simple interest calculated at 6% annually on the outstanding balance.

September 25, 2023



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.

In accordance with section 81 of the Act, the part of this order relating to the eviction expires on April 6, 2024 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.