



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

Citation: The District Municipality of Muskoka v Newell, 2023 ONLTB 79103

Date: 2023-12-07

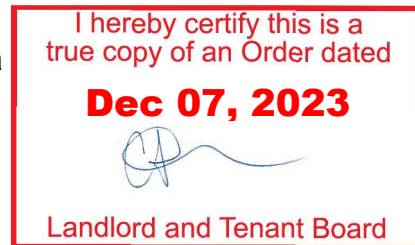
File Number: LTB-L-092525-23

In the matter of: 827 PINEDALE RD
GRAVENHURST ON P1P1L3

Between: The District Municipality of Muskoka

and

Jennifer Newell



Landlord

Tenant

The District Municipality of Muskoka (the 'Landlord') applied for an order to terminate the tenancy and evict Jennifer Newell (the 'Tenant') because the Tenant did not meet a condition specified in the order issued by the LTB on May 23, 2023, with respect to application LTB-L-032183-23.

This application was decided without a hearing being held.

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 condition(s) in the order. This application was filed within 30 days of the breach.
2. I find that the Tenant has not met the following condition specified in the order:

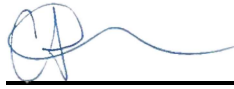
The Tenant failed to maintain the rental unit in an ordinary state of cleanliness as required under section 33 of the Act.

It is ordered that:

1. Order LTB-L-032183-23 is cancelled.
2. The tenancy between the Landlord and the Tenant is terminated. The Tenant must move out of the rental unit on or before December 18, 2023.
3. If the unit is not vacated on or before December 18, 2023, then starting December 19, 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 December 19, 2023.

December 7, 2023
Date Issued



Candace Aboussafy
Member, Landlord and Tenant Board

15 Grosvenor Street, Ground Floor,
Toronto ON M7A 2G6

The Tenant has until December 17, 2023, to file a motion with the LTB to set aside the order under s. 78(9) of the Act. If the tenant files the motion by December 17, 2023, the order will be stayed and the LTB will schedule a hearing.

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 June 19, 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.