

The Kitchen Cupboard And Icebox Inc. v Brooker-Illman, 2021 CanLII 150022 (ON LTB)

Date: 2021-12-02
File number: SWL-56189-21
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Tribunals Ontario
Landlord and Tenant Board

Order under Section 78(6)

Residential Tenancies Act, 2006

File Number: SWL-56189-21

In the matter of: 325 WALLACE AVENUE N LISTOWEL ON N4W1L2

Between: The Kitchen Cupboard And Icebox Inc. Landlord
and
Michelle Brooker-Illman Tenant

The Kitchen Cupboard And Icebox Inc. (the 'Landlord') applied for an order to terminate the tenancy and evict Michelle Brooker-Illman (the 'Tenant') because the Tenant failed to meet a condition specified in the order issued by the Board on July 8, 2021 with respect to application SWL-45399-20.

Determinations:

1. The order provided that the Landlord could apply to the Board 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 did not meet certain condition(s) specified in the order.
2. I find that the Tenant has not met the following condition specified in the order: The Tenant failed to pay the lawful monthly in rent on or before October 1, 2021.

It is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated. The Tenant must move out of the rental unit on or before December 13, 2021.
2. If the unit is not vacated on or before December 13, 2021, then starting December 14, 2021, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
3. 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 14, 2021.

N Mul

December 2, 2021

Date Issued

Member, Landlord and Tenant Board

Nicola Mulima

File Number: SWL-56189-21

South West-RO
150 Dufferin Avenue, Suite 400, 4th Floor London ON N6A5N6

The tenant has until December 12, 2021 to file a motion with the Board to set aside the order under s. 78(9) of the Act. If the tenant files the motion by December 12, 2021 the order will be stayed and the Board 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 14, 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.