



JAN 16, 2023

Landlord and Tenant Board

**Order under Section 69
Residential Tenancies Act, 2006**

Citation: 9328335 CANADA INC v Gorecki, 2023 ONLTB 14930

Date: 2023-01-16

File Number: LTB-L-047122-22

In the matter of: 203, 380 MAIN STREET
MATTAWA ON P0H1V0

Between: 9328335 CANADA INC

Landlord

And

Sylvester Gorecki

Tenant

9328335 CANADA INC (the 'Landlord') applied for an order to terminate the tenancy and evict Sylvester Gorecki (the 'Tenant') because:

- the Tenant has seriously impaired the safety of any person and the act or omission occurred in the residential complex;
- the Tenant has wilfully caused undue damage to the premises;
- the Tenant used the rental unit or the residential complex in a manner that is inconsistent with use as a residential premises and that has caused or can be expected to cause significant damage.

The Landlord also claimed compensation for each day the Tenant remained in the unit after the termination date.

This application was heard by videoconference on January 9, 2023.

Only the Landlord's Agent, Sandeep Sharma, attended the hearing.

As of 9:46 a.m., 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 Landlord's Agent presented a letter dated January 4, 2023, from the Ministry of The Attorney General, Office of the Public Guardian and Trustee, which states that the Tenant is not returning to the rental unit.
2. Therefore, the tenancy has ended as of January 4, 2023, and the Landlord is entitled to reclaim vacant possession of the rental unit.

3. This order contains all of the reasons in this matter and no further reasons shall be issued.

It is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated. The tenancy ended on **January 4, 2023**.
2. Upon receipt of this order, the Board gives vacant possession of the unit to the Landlord on or after January 5, 2023.

January 16, 2023
Date Issued

Michael Di Salle

Michael Di Salle
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.