



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

File Number: LTB-L-027994-24

In the matter of: 218, 885 OXFORD ST
OSHAWA ON L1J3W3

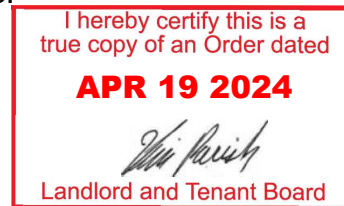
Between: 835-885 Oxford Inc. C/O Davpart Inc.

Landlord

And

Sharon Osbourne

Tenant



835-885 Oxford Inc. C/O Davpart Inc. (the 'Landlord') applied for an order to terminate the tenancy and evict Sharon Osbourne (the 'Tenant') because the Tenant did not meet a condition specified in the order issued by the LTB on March 12, 2024 with respect to application LTB-L-002313-24.

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 declutter the rental unit to ensure that the condition of the rental unit no longer poses an immediate threat to life and is in compliance with the *Fire Protection and Prevention Act, 1997*.

On or about April 2, 2024, the Landlord's staff sent pictures of the unit to the fire inspector. The fire inspector confirmed that there is still quite a bit of work to be completed for the rental unit to satisfy the requirements to be deemed safe by the Oshawa Fire Services.

It is ordered that:

1. Order LTB-L-002313-24 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 April 30, 2024.

3. If the unit is not vacated on or before April 30, 2024, then starting May 1, 2024, 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 May 1, 2024.

April 19, 2024
Date Issued



Kimberly Parish
Member, Landlord and Tenant Board

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

The Tenant has until April 29, 2024 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 April 29, 2024 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 November 1, 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.