



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

**Citation:** Chahal v Brigmohan, 2023 ONLTB 26405

**Date:** 2023-03-20

**File Number:** LTB-L-082206-22

**In the matter of:** 9 HAWKINS CRT  
BRAMPTON ON L6S2N7

**Between:** Balwinder Singh Chahal and Jatinder Kaur Chahal Landlords

**and**

Anthony Brigmohan and Chantel Brigmohan Tenants

Balwinder Singh Chahal and Jatinder Kaur Chahal (the 'Landlords') applied for an order to terminate the tenancy and evict Anthony Brigmohan and Chantel Brigmohan (the 'Tenants') because the Tenants did not meet a condition specified in the order issued by the LTB on January 5, 2022 with respect to application CEL-01855-21.

This application was decided without a hearing being held.

### **Determinations:**

1. The order provides that the Landlords can apply to the LTB under section 78 of the *Residential Tenancies Act, 2006* (the 'Act') without notice to the Tenants to terminate the tenancy and evict the Tenants if the Tenants do not meet certain condition(s) in the order. This application was filed within 30 days of the breach.
2. I find that the Tenants have not met the following condition specified in the order:  
  
The Tenants failed to pay the full lawful monthly rent for January 2023, on or before January 1, 2022.
3. The Landlords are entitled to daily compensation from the day after this order is issued to the date the Tenants move out of the unit at a daily rate of \$73.32. This amount is calculated as follows: \$2,230.00 x 12, divided by 365 days.

**It is ordered that:**

1. Order CEL-01855-21 is cancelled.
2. The tenancy between the Landlords and the Tenants is terminated. The Tenants must move out of the rental unit on or before March 31, 2023.

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3. If the unit is not vacated on or before March 31, 2023, then starting April 01, 2023, the Landlords 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 Landlords on or after April 01, 2023.
5. The Tenants shall pay to the Landlord \$73.32 per day for compensation for the use of the unit starting March 21, 2023 to the date the Tenant moves out of the unit.
6. If the Tenants do not pay the Landlords the full amount owing on or before March 31, 2023, the Tenants will start to owe interest. This will be a simple interest calculated from April 1, 2023 at 5.00% annually on the balance outstanding.

**March 20, 2023**

**Date Issued**

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Vladislav Shustov  
Member, Landlord and Tenant Board

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

The Tenants have until March 30, 2023 to file a motion with the LTB to set aside the order under s. 78(9) of the Act. If the tenants file the motion by March 30, 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 October 01, 2023 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.

