



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

**File Number:** TNL-23052-19

**In the matter of:** 207, 1620 LAWRENCE AVENUE WEST  
TORONTO ON M6L1C1

**Between:** Toronto Community Housing Corp Landlord

**and**

Danielle Douglas Tenants  
John Sebastian Ospina

Toronto Community Housing Corp (the 'Landlord') applied for an order to terminate the tenancy and evict John Sebastian Ospina and Danielle Douglas (the 'Tenants') and for an order to have the Tenants pay the rent and compensation for damage they owe because the Tenants failed to meet a condition specified in the mediated settlement issued by the Board on July 2, 2019 with respect to application TNL-06374-18.

This application was heard in Passcode: 952 5218 8731# on September 21, 2021. Only the Landlord's representative Rahel Abera attended the hearing.

**Determinations:**

1. The mediated settlement provided that the Landlord could apply to the Board 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 did not meet certain condition(s) specified in the settlement.
2. The Tenant have made no payments toward rent or arrears.
3. The Tenants owe the Landlord \$42,345.65 in arrears and costs as of the date of this hearing. The amount the Tenants owe the Landlord exceeds the \$35,000.00 monetary jurisdiction of the Board.
4. The previous application included a request for an order for the payment of arrears of rent. The resulting mediated settlement required the Tenants to pay rent or some or all of the arrears of rent. Accordingly, in addition to eviction, the Landlord is entitled to request an order for the payment of arrears of rent and compensation.

5. The previous application included a request for an order for compensation for damage caused by the Tenant and the resulting mediated settlement required the Tenant to pay an amount for damage. Accordingly, the Landlord is entitled to request an order for compensation for damage.
6. I have considered all of the disclosed circumstances in accordance with subsection 83(2) of the *Residential Tenancies Act, 2006* (the 'Act'), and find that it would be unfair to grant relief from eviction pursuant to subsection 83(1) of the Act.

**It is ordered that:**

1. The tenancy between the Landlord and the Tenants is terminated. The Tenants must move out of the rental unit on or before October 8, 2021.
2. The Tenants shall pay to the Landlord \$35,000.00. This amount represents the rent owing, unpaid compensation for damage and the costs related to the application fee for the previous application.
3. If the unit is not vacated on or before October 8, 2021, then starting October 9, 2021, 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 October 9, 2021.



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Greg Joy  
Member, Landlord and Tenant Board

**September 27, 2021**  
**Date Issued**

Toronto North-RO  
47 Sheppard Avenue East, Suite 700, 7th Floor  
Toronto ON M2N5X5

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 April 9, 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.

