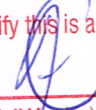


Order under Section 69  
**Residential Tenancies Act, 2006**

**File Number:** TSL-95837-18

**In the matter of:** C2 AT BASEMENT, 18 ULSTER STREET  
TORONTO ON M5S1E2

**Between:** 2540565 Ontario Inc

I hereby certify this is a true copy of the Order  
(Name of Document)  
  
(Aaron Coutu)  
(Signature of Staff Member)

Landlord

and

Dylan Avery Martin Pantin

JUL 09 2018

**LANDLORD AND TENANT BOARD**

Tenant

2540565 Ontario Inc (the 'Landlord') applied for an order to terminate the tenancy and evict Dylan Avery Martin Pantin (the 'Tenant') because the Tenant, another occupant of the rental unit or someone the Tenant permitted in the residential complex has substantially interfered with the reasonable enjoyment or lawful right, privilege or interest of the Landlord or another tenant.

This application was heard in Toronto on July 6, 2018.

Only the Landlord's owners, James Loe and Natalie Loe, attended the hearing.

**Determinations:**


1. The Tenant's conduct has substantially interfered with the other tenants' reasonable enjoyment of the residential complex.
2. The residential complex here is a rooming house. The rental unit is the Tenant's room. The Tenant shares common facilities like a bathroom with the other tenants.
3. Since the beginning of the tenancy the Tenant has routinely failed to properly clean up after himself in the bathroom. He does not flush the toilet. Toilet paper is left strewn around the room. Blood and faeces are left in the bathroom along with the Tenant's dirty clothes. The other tenants have repeatedly complained of this behaviour and the ensuing odour and mess. They are reasonably upset. There is one e-mail entered into evidence where one of the tenants explains that in order to shower and go out the tenant has to clean up the mess made by the Tenant in the bathroom.
4. Given the above I am satisfied that the Tenant has substantially interfered with the reasonable enjoyment of the residential complex by other tenants.
5. The Tenant's behaviour was repeated during the seven day voiding period after the notice of termination was served. The Tenant did not void the notice.

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. The Landlord has attempted to speak to the Tenant about his behaviour and contacted his mother in an effort to deal with the behaviour but nothing has worked. The Landlord is not aware that the Tenant is suffering from any disability under the *Human Rights Code* and is otherwise unaware of any circumstances that would justify relief from eviction. The Landlord is entitled to the order sought.
7. The Landlord incurred costs of \$175.00 for filing the application and is entitled to reimbursement of those costs.
8. This order contains all of the reasons for the decision within it. No further reasons shall be issued.

**It is ordered that:**

1. The tenancy between the Landlord and the Tenant is terminated, as of June 5, 2018. The Tenant must move out of the rental unit on or before July 20, 2018.
2. The Tenant shall pay to the Landlord \$175.00 for the cost of filing the application.
3. If the Tenant does not pay the Landlord the full amount owing on or before July 20, 2018, the Tenant will start to owe interest. This will be simple interest calculated from July 21, 2018 at 3.00% annually on the balance outstanding.
4. If the unit is not vacated on or before July 20, 2018, then starting July 21, 2018, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
5. 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 July 21, 2018.

**July 9, 2018**  
**Date Issued**

  
\_\_\_\_\_  
Ruth Carey  
Vice Chair, Landlord and Tenant Board

Toronto South-RO  
79 St. Clair Avenue East, Suite 212, 2nd Floor  
Toronto ON M4T1M6

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 January 21, 2019 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.