



Order under Section 16.1 of the
Statutory Powers Procedure Act
and the **Residential Tenancies Act, 2006**

File Number: TNL-24946-20-IN

In the matter of: BASEMENT -UNIT 1, 10 COLLANUS COURT
ETOBICOKE ON M9W6G5

Between: Gian Daley Landlord

and

Fernando Linton Tenant

INTERIM ORDER

Gian Daley (the 'Landlord') applied for an order to terminate the tenancy and evict Fernando Linton (the 'Tenant') because the Landlord requires possession of the rental unit for the purpose of residential occupation. The Landlord also claimed compensation for each day the Tenant remained in the unit after the termination date.

This application was by videoconference February 5, 2021.

The Landlord and the Landlord's Legal Representative R. Bassi and the Tenant and the Tenant's Legal Representative K. Wen attended the hearing.

At the hearing the Tenant requested an adjournment on the basis of accommodation under the *Human Rights Code, R.S.O. 1990, c. H19* (the 'Code') and requested time for his recently retained legal counsel to submit a request for an in-person hearing on that basis. The matter was adjourned to allow the Tenant to make his request for accommodation to the Board.

It is ordered that:

1. The hearing is adjourned to return on a date set by the Board to be indicated in a new Notice of Hearing to be issued.
2. I am not seized of the matter.
3. On or before **February 16, 2021** the Tenant's Legal Representative shall file with the Board their request for accommodation under the *Code* for consideration and response by the Board. The Tenant shall file their documents and materials they determine necessary in order to make their accommodation request **By E-MAIL** with the Board at TN-ltb@ontario.ca.

4. If e-mail communication is unavailable or inadequate for the exchange of evidence the Tenant shall comply with all Health Canada guidelines with respect to social distancing and isolation available at <https://www.canada.ca/en/public-health/services/diseases/2019-novel-coronavirus-infection/guidance-documents.html>.

February 8, 2021

Date Issued

Nicola Mulima

Member, Landlord and Tenant Board

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.