



I hereby certify this is a true copy of an Order dated
OCT 11, 2023
MD
Landlord and Tenant Board

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

Citation: Williams & McDaniel Property Management v Ross, 2023 ONLTB 66393
Date: 2023-10-11
File Number: LTB-L-075900-23

In the matter of: 422, 125 RAYMOND ST
GUELPH ON N1H3S6

Between: Williams & McDaniel Property Management Landlord

And

Eleanor Ross Tenant

Williams & McDaniel Property Management (the 'Landlord') applied for an order to terminate the tenancy and evict Eleanor Ross (the 'Tenant') because the Tenant did not meet a condition specified in the order issued by the LTB on March 3, 2023 with respect to application LTB-L-064140-22.

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 ensure her dog be securely leashed and muzzled any time it is outside the rental unit when handled not only by the Tenant, but any other person handling the Tenant's dog at the residential complex including the Tenant's guests, and occupants of the rental unit and their guests.

It is ordered that:

1. Order LTB-L-064140-22 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 October 22, 2023.

3. If the unit is not vacated on or before October 22, 2023, then starting October 23, 2023, 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 23, 2023.

October 11, 2023
Date Issued

Michael Di Salle

Michael Di Salle
Member, Landlord and Tenant Board

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

The Tenant has until October 21, 2023 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 October 21, 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 April 23, 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.