



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

**File Number:** TEL-17272-21

**In the matter of:** MAIN FLOOR, 74 THORNCLIFFE STREET  
OSHAWA ON L1H7H2

**Between:** Patrick Mills Landlord

**and**

Tracy Catherwood Tenant

Patrick Mills (the 'Landlord') applied for an order to terminate the tenancy and evict Tracy Catherwood (the 'Tenant') because the Tenant failed to meet a condition specified in the order issued by the Board on May 19, 2021 with respect to application TEL-15569-21.

**Determinations:**

1. The order provided that the Landlord could apply to the Board 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 did not meet certain condition(s) specified in the order.
2. I find that the Tenant has not met the following conditions specified in the order:

**The Landlord provided the Tenant with a 24 hour notice to access entry to the rental unit for an inspection on the following dates, May 20, 2021, and on May 23, 2021, the Tenant refused entry both times. On May 25, 2021 the Tenant threatened the Landlord and her son with a gun, the Tenant directly pointed the gun towards the Landlord's son and his wife threatening to shoot them resulting in police being called to the rental unit with the tactical force.**

**It is ordered that:**

1. The tenancy between the Landlord and the Tenant is terminated. The Tenant must move out of the rental unit on or before June 18, 2021.
2. If the unit is not vacated on or before June 18, 2021, then starting June 19, 2021, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.

3. 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 June 19, 2021.
4. **This order terminates the tenancy and permits the Landlord to file the order with Court Enforcement Office (Sheriff) to evict the Tenant. However, as of the date this order was issued, the Sheriff cannot enforce this order as a result of Ontario Regulation 266/21 made under the Emergency Management and Civil Protection Act on April 8, 2021. The Tenant cannot be evicted from the rental unit while this regulation is in force. Eviction by the Sheriff may occur after the regulation is removed by the Ontario Government. Further information is available on the LTB's website.**



---

Dawn Wickett  
Member, Landlord and Tenant Board

**June 7, 2021**  
**Date Issued**

Toronto East-RO  
2275 Midland Avenue, Unit 2  
Toronto ON M1P3E7

The tenant has until June 17, 2021 to file a motion with the Board to set aside the order under s. 78(9) of the Act. If the tenant files the motion by June 17, 2021 the order will be stayed and the Board 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 December 19, 2021 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.