



**Order under Section 31
Residential Tenancies Act, 2006**

File Number: LTB-T-001494-21

In the matter of: BASEMENT, 275 WATERFORD GATE
PICKERING ON L1V6N3

Between: Anastasios Makrakis
Alexandra Mai Tenants

And

Ataur Siddique Landlord

Anastasios Makrakis and Alexandra Mai (the 'Tenants') applied for an order determining that Ataur Siddique (the 'Landlord'):

- entered the rental unit illegally;
- altered the locking system on a door giving entry to the rental unit or residential complex without giving the Tenants replacement keys;
- substantially interfered with the reasonable enjoyment of the rental unit or residential complex by the Tenants or by a member of the Tenants' household;
- harassed, obstructed, coerced, threatened or interfered with the Tenants; and
- withheld or interfered with the Tenants' vital services or care services and meals in the care home.

This application was heard by videoconference on January 7, 2022.

The Landlord and the Tenants attended the hearing.

It is determined that:

1. The only allegation that the Tenants pursued at the hearing is the allegation that the Landlord locked them out of the rental unit illegally – i.e. that the Landlord altered the locking system to the rental unit without giving the Tenants replacement keys.
2. The Tenant, Anastasios Makrakis, testified that on December 16, 2021, the Landlord showed up at the rental unit with three other individuals, one of whom claimed to be from the sheriff's office. The Landlord notified the Tenants that he was there to change the locks and enforce eviction. The Tenant refused to move out but when he left for work, the locks were changed.

3. Section 37 of the *Residential Tenancies Act, 2006* (the “Act”) states that a tenancy can only be terminated in accordance with the Act. In this case, I find that the tenancy was in fact terminated in accordance with the Act. Specifically, the tenancy was terminated pursuant to an LTB order.
4. In a separate application bearing file number TEL-20131-21, the LTB issued an order on November 30, 2021, terminating the tenancy effective December 11, 2021. Neither party filed a request to review the order.
5. The Notice of Vacant Possession and Delivery of Vacant Possession forms from the sheriff’s office both state the on December 16, 2021 the LTB’s order TEL-20131-21 was executed and vacant possession of the rental unit was delivered.
6. I am satisfied that the tenancy was lawfully terminated in accordance with the LTB’s order TEL-20131-21 and the sheriff changed the locks pursuant to that order. Accordingly, the Tenants’ allegation about an illegal eviction is dismissed. I delivered this decision orally at the hearing. The Tenants then asked to withdraw the remaining allegations in the application. The application is, therefore, dismissed.

It is ordered that:

1. The application is dismissed.



Anna Solomon
Vice Chair, Landlord and Tenant Board

January 12, 2022
Date Issued

15 Grosvenor Street, Ground Floor
Toronto ON M7A 2G6

If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.