



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

**File Number:** TSL-21760-21

**In the matter of:** 519, 520 KINGSTON ROAD  
TORONTO ON M4L3W8

**Between:** Toronto Community Housing Corporation Landlord  
  
**and**  
  
Tewabech Tegegne Yousef Tenant

Toronto Community Housing Corporation (the 'Landlord') applied for an order to terminate the tenancy and evict Tewabech Tegegne Yousef (the 'Tenant') and for an order to have the Tenant pay the rent the Tenant owes because the Tenant failed to meet a condition specified in the mediated settlement issued by the Board on November 22, 2018 with respect to application TSL-98504-18.

**Determinations:**

1. The mediated settlement 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 settlement.
2. I find that the Tenant has not met the following conditions specified in the settlement:
  - a) The Tenant did not pay \$100.00 (arrears) on or before April 20, 2021; and**
  - b) The Tenant also did not pay \$1,492.00 (rent) on or before April 1, 2021.**
3. The previous application included a request for an order for the payment of arrears of rent. The resulting mediated settlement required the Tenant to pay rent or some or all of the arrears of rent. Accordingly, in addition to eviction, the Landlord is entitled to request an order for the payment of arrears of rent and compensation.
4. The amount that is still owing, according to the terms of the mediated settlement, for arrears of rent, and the costs related to the application fee for the previous application is \$622.00.
5. Since the date of the mediated settlement, the Tenant has failed to pay the full rent that became owing for the period from January 1, 2019 to May 31, 2021.

**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 May 25, 2021.
2. The Tenant shall pay to the Landlord \$13,874.73\*. This amount represents the rent owing up to May 14, 2021 and the costs related to the application fee for the previous application.
3. The Tenant shall **also** pay to the Landlord \$49.05 per day for compensation for the use of the unit starting May 15, 2021 to the date the Tenant moves out of the unit.
4. If the Tenant does not pay the Landlord the full amount owing\* on or before May 25, 2021, the Tenant will start to owe interest. This will be simple interest calculated from May 26, 2021 at 2.00% annually on the balance outstanding.
5. If the unit is not vacated on or before May 25, 2021, then starting May 26, 2021, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
6. 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 May 26, 2021.



---

Sonia Anwar-Ali  
Member, Landlord and Tenant Board

**May 14, 2021**  
**Date Issued**

Toronto South-RO  
15 Grosvenor Street, 1st Floor  
Toronto ON M7A 2G6

The tenant has until May 24, 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 May 24, 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 November 26, 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.

**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.**

\* Refer to the attached Summary of Calculations.

**Summary of Calculations**

**File Number: TSL-21760-21**

**Amount the Tenant must pay**

<b>Reason for amount owing</b>	<b>Period</b>	<b>Amount</b>
Amount owing from previous order or settlement plus New Arrears and New NSF cheque charges and related administration charges		\$13,874.73
Less the rent deposit:		-\$0.00
Less the interest owing on the rent deposit		-\$0.00
Plus daily compensation owing for each day of occupation starting May 15, 2021		\$49.05 (per day)
<b>Total the Tenant must pay the Landlord:</b>		<b>\$13,874.73, + \$49.05 per day starting May 15, 2021</b>

2021 CanLII 91882 (ON LTB)