



Order under Section 78(11)
Residential Tenancies Act, 2006

File Number: TEL-17466-21-SA

In the matter of: 16 COTTONWOOD DRIVE
BELLEVILLE ON K8N4Z5

Between: Krishnaratnam Krishnakumar Landlord

and

Glenn Reed Tenant

Krishnaratnam Krishnakumar (the 'Landlord') applied for an order to terminate the tenancy and evict Glenn Reed (the 'Tenant') because the Tenant failed to meet a condition specified in the order issued by the Board on March 17, 2021 with respect to application TEL-12269-20.

The Landlord's application was resolved by order TEL-17466-21, issued on June 18, 2021. The Tenant filed a motion to set aside order TEL-17466-21.

This motion was heard in Passcode: 952 5218 8731# on September 22, 2021. The Landlord, represented by Paula Stevens, and the Tenant, represented by Dara Saunders, attended the hearing.

Determinations:

1. At an uncontested hearing on March 16, 2021 and a resulting order issued on March 17, 2021, the Tenant was ordered to provide the Landlord with a replacement key to the rental unit. At this hearing the Tenant's representative and the Tenant submit that the lock had not been changed and therefore a replacement key was unnecessary. Considering the Board order, the Tenant should have provided the Landlord with a key to the unit to comply with the order.
2. At the hearing the Tenant agreed to provide the Landlord with a copy of the key to the unit.
3. The Landlord also claims that the Tenant cancelled a contractor's appointment to replace a broken window scheduled for March 25, 2021. The Landlord's representative submits the Tenant insisted on the work being done only on weekends. The Landlord made no further attempts to have the work completed.
4. Under the circumstances I find it would be inappropriate to terminate the tenancy at this time.

5. The Tenant will be ordered to provide the Landlord with a copy of the key to the rental unit.
6. The copy of the key will provide the Landlord with access to the unit and as a result the Landlord has the right to serve proper notice on the Tenant to enter the unit to perform the window repair.

It is ordered that:

1. Order TEL-17466-21, issued on June 18, 2021, is set aside and replaced with the following:
2. The Tenant shall provide the Landlord with a copy of the key to the rental unit on or before October 15, 2021.
3. The Tenant shall not interfere with the Landlord's attempt to replace the broken window.
4. In the event the Tenant fails to provide the Landlord with a copy of the key as ordered, the Landlord shall be entitled to apply to the Board, no later than 30 days after a breach of this Order, without notice to the Tenant, for an Order terminating the tenancy, pursuant to Section 78 of the Residential Tenancies Act, 2006.



Greg Joy
Member, Landlord and Tenant Board

September 29, 2021
Date Issued

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

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