



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

File Number: SOL-26416-21

In the matter of: 307, 4615 PORTAGE ROAD
NIAGARA FALLS ON L2E6A9

Between: Skyline Living Landlord

and

Raylene Norman Tenant

On November 12, 2021, Skyline Living (the 'Landlord') applied for an order to terminate the tenancy and evict Raylene Norman (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 order issued by the Board on September 28, 2021 with respect to application SOL-21818-21.

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 condition specified in the order:

The Tenant was to prevent her children from running unsupervised in the residential complex and creating a nuisance for other Tenants in the residential complex.

On October 24, 2021, at approximately 5 pm, a complaint was received from a Tenant who witnessed the son of the Tenant in unit 307 urinating off the balcony. The complaining Tenant's balcony is directly below unit 307.

3. The Landlord collected a rent deposit of \$1,581.63 from the Tenant and this deposit is still being held by the Landlord.
4. Interest on the rent deposit is owing to the Tenant for the period from December 18, 2020 to January 6, 2022.

It is ordered that:

1. Order SOL-21818-21 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 January 17, 2022.

3. If the unit is not vacated on or before January 17, 2022, then starting January 18, 2022, 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 January 18, 2022.

January 6, 2022
Date Issued



Jim McMaster
Member, Landlord and Tenant Board

Southern-RO
119 King Street West, 6th Floor
Hamilton ON L8P4Y7

The tenant has until January 16, 2022 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 January 16, 2022 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 July 18, 2022 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.