



Order under Section 69
Residential Tenancies Act, 2006

File Number: SOL-20972-21

In the matter of: 617, 95 HESS STREET S
HAMILTON ON L8P3N4

Between: Cityhousing Hamilton Coporation

Landlord

and

Kevin Allan

Tenant

Cityhousing Hamilton Coporation (the 'Landlord') applied for an order to terminate the tenancy and evict Kevin Allan (the 'Tenant') because the Tenant, another occupant of the rental unit or a person the Tenant permitted in the residential complex has seriously impaired the safety of any person.

This application was heard in Passcode: 627 3289 0572# on June 23, 2021. The Landlord's representative Katherine MacIntyre attended the hearing. Also in attendance as witness for the Landlord was Candice Brimner.

Determinations:

1. The Tenant has a long history of vulgar, abusive and racist comments toward other tenants in the residential complex. The Landlord has attempted to work with the Tenant to reduce this behaviour, but the issues have grown to be physical attacks on others.
2. The Tenant has recently kicked another tenant while she was standing in her doorway causing a bruise. Ms. Brimner, who works for the Landlord as a social worker, was with the Tenant in her office when the Tenant grabbed her by the wrists and chest bumper her when he was asked to leave. This caused Ms. Brimner to fall backward. The police were called and the Tenant has been charged with assault.
3. The Tenant is racist and violent toward women.
4. I find the Tenant is seriously impairing the safety of others in the residential complex.
5. I have considered all of the disclosed circumstances in accordance with subsection 83(2) of the *Residential Tenancies Act, 2006* (the 'Act'), and find that it would be unfair to grant relief from eviction pursuant to subsection 83(1) of the Act.

It is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated, as of July 4, 2021. The Tenant must move out of the rental unit on or before July 4, 2021.
2. The Tenant shall pay to the Landlord \$186.00 for the cost of filing the application.
3. If the Tenant does not pay the Landlord the full amount owing on or before July 4, 2021, the Tenant will start to owe interest. This will be simple interest calculated from July 5, 2021 at 2.00% annually on the balance outstanding.
4. If the unit is not vacated on or before July 4, 2021, then starting July 5, 2021, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
5. 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 July 5, 2021. The Sheriff is requested to expedite the enforcement of this order.



Greg Joy
Member, Landlord and Tenant Board

June 29, 2021
Date Issued

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

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 January 5, 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.