



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

**File Number:** TNL-32499-21

**In the matter of:** 9 ROOM 2, 266 PROSPECT STREET  
NEWMARKET ON L3Y3V2

**Between:** Loft Community Housing Services

Landlord

**and**

Glen McKnight

Tenant

Loft Community Housing Services (the 'Landlord') applied for an order to terminate the tenancy and evict Glen McKnight (the 'Tenant') because the Tenant failed to meet a condition specified in the order issued by the Board on September 19, 2018 with respect to application TNL-98851-17.

**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 conditions specified in the order.
2. I find that the Tenant has not met the following conditions specified in the order:
  - a. On April 29, 2021, a client for Loft Community Housing Services advised them that they performed an inspection of the Tenant's unit and corresponding common area because an incident occurred where the Tenant pulled the building Fire Alarm.
  - b. The Tenant's room was observed to be in an extremely cluttered and unsanitary state. There was drug paraphernalia both in the Tenants room and in the common area space of the unit and the Tenant's roommate advised the Landlord that the Tenant has been using drugs in the rental premises frequently.
  - c. Following this incident on April 29, 2021, the Landlord's staff returned to the unit on May 1, 2021 for a follow up inspection and again found uncapped used needles in the Tenant's room.

**It is ordered that:**

1. Order TNL-98851-17 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 June 12, 2021.
3. If the unit is not vacated on or before June 12, 2021, then starting June 13, 2021, 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 June 13, 2021.
5. 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.

**June 1, 2021**  
**Date Issued**

*Michael Di Salle*  
Michael Di Salle  
Member, Landlord and Tenant Board

Toronto North-RO  
47 Sheppard Avenue East, Suite 700, 7th Floor  
Toronto ON M2N5X5

The tenant has until June 11, 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 June 11, 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 December 13, 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.