



**Order under Section 69
Residential Tenancies Act, 2006**

Citation: The District Municipality of Muskoka v Jennifer Newell, 2023 ONLTB 39461

Date: 2023-05-23

File Number: LTB-L-032183-23

In the matter of: 827 PINEDALE RD
Gravenhurst ON P1P1L3

Between: The District Municipality of Muskoka Landlord

And

Jennifer Newell Tenant

The District Municipality of Muskoka (the 'Landlord') applied for an order to terminate the tenancy and evict Jennifer Newell (the 'Tenant') because:

- the Tenant, another occupant of the rental unit or someone the Tenant permitted in the residential complex has substantially interfered with the reasonable enjoyment or lawful right, privilege or interest of the Landlord or another tenant;
- the Tenant, another occupant of the rental unit or someone the Tenant permitted in the residential complex has wilfully caused undue damage to the premises.

The Landlord also claimed compensation for each day the Tenant remained in the unit after the termination date.

This application was heard by videoconference on May 16, 2023. The Landlord's representative Kelly Draycott, and the Tenant's representative Lockhart Fulton, attended the hearing.

At the hearing the parties consented to the following order.

The Tenant acknowledges that he was not in compliance with his responsibility under section 33 of the Residential Tenancies Act to maintain the rental unit in an ordinary state of cleanliness as of March 27, 2023.

The Landlord and the Tenant attended the hearing.

On Consent it is Ordered that:

1. The Tenant shall maintain the rental unit in an ordinary state of cleanliness as required under section 33 of the Act until December 31, 2023.
2. The Tenant shall permit the Landlord to inspect the rental unit on a monthly basis, with 24 hours written notice, and shall not unreasonably deny access to the unit while this order is in effect.

3. In the event the Tenant fails to comply with the conditions as set out above, 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 and evicting the Tenant, pursuant to Section 78 of the Residential Tenancies Act, 2006.

May 23, 2023



Date Issued

Greg Joy
Member, Landlord and Tenant Board

15 Grosvenor Street, Ground Floor,
Toronto ON M7A 2G6

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