



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

Citation: Rembrandt Property Management Inc. v Harris, 2023 ONLTB 45633

Date: 2023-06-28

File Number: LTB-L-045436-23

In the matter of: 66, 2635 BATEMAN TRAIL LONDON
ON N6L0C1

Between: Rembrandt Property Management Inc. Landlord

And

Adam Harris Tenants
Raffaella Harris

On June 7, 2023, Rembrandt Property Management Inc. (the 'Landlord') applied for an order to terminate the tenancy and evict Adam Harris and Raffaella Harris (the 'Tenants') because the Tenants did not meet a condition specified in the order issued by the LTB on April 17, 2023, with respect to application LTB-L-028522-22.

This application was decided without a hearing being held.

Determinations:

1. The order provides that the Landlord can apply to the LTB under section 78 of the *Residential Tenancies Act, 2006* (the 'Act') without notice to the Tenants to terminate the tenancy and evict the Tenants if the Tenants do not meet certain condition(s) in the order. This application was filed within 30 days of the breach.
2. I find that the Tenants have not met the following condition specified in the order:

The Tenants failed to pay to the Landlord the lawful rent on or before June 1, 2023.

3. The Landlord is entitled to daily compensation from the day after this order is issued to the date the Tenants moves out of the unit at a daily rate of \$61.39. This amount is calculated as follows: \$1,867.14 x 12, divided by 365 days.

It is ordered that:

1. Order LTB-L-028522-22 is cancelled.
2. The tenancy between the Landlord and the Tenants is terminated. The Tenants must move out of the rental unit on or before July 9, 2023.

Order Page: 1 of 2

File Number: LTB-L-045436-23

3. If the unit is not vacated on or before July 9, 2023, then starting July 10, 2023, 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 July 10, 2023.
5. The Tenants shall pay to the Landlord \$61.39 per day for compensation for the use of the unit starting June 29, 2023, to the date the Tenants move out of the unit.

June 28, 2023
Date Issued

Emile Ramlochan

Member, Landlord and Tenant Board

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

The Tenants have until July 8, 2023, to file a motion with the LTB to set aside the order under s. 78(9) of the Act. If the tenants file the motion by July 8, 2023, the order will be stayed, and the LTB 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 January 10, 2024, 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.

Order Page: 2 of 2