



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

**Citation:** Liora Fine Arts Ltd. v Chris Keats, 2023 ONLTB 45113

**Date:** 2023-06-26

**File Number:** LTB-L-044470-23

**In the matter of:** 304, 753 DUNDAS ST  
LONDON ON N5W2Z6

**Between:** Liora Fine Arts Ltd. Landlord

**And**

Chris Keats Tenant

On June 5, 2023, Liora Fine Arts Ltd. (the 'Landlord') applied for an order to terminate the tenancy and evict Chris Keats (the 'Tenant') and for an order to have the Tenant pay compensation for damage they owe because the Tenant did not meet a condition specified in the order issued by the LTB on May 23, 2023, with respect to application LTB-L-074099-22.

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 Tenant to terminate the tenancy and evict the Tenant if the Tenant does not meet certain condition(s) in the order. This application was filed within 30 days of the breach.

2. I find that the Tenant has not met the following condition specified in the order:

**The Tenant failed to pay to the Landlord \$1,478.20 on or before May 31, 2-23, towards damage and costs.**

3. The previous application includes a request for an order for compensation for damage and the order requires the Tenant to pay an amount for damage. Accordingly, the Landlord is entitled to request an order for compensation for damage.

4. The Tenant was required to pay \$1,478.20 for compensation for damage and the application filing fee in the previous order. The amount that is still owing from that order is \$1,478.20 and that amount is included in this order. This order replaces order LTB-L074099-22.

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**It is ordered that:**

1. Order LTB-L-074099-22 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 July 7, 2023.
3. If the unit is not vacated on or before July 7, 2023, then starting July 8, 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 8, 2023.

**June 26, 2023**

**Date Issued**

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Emile Ramlochan

Member, Landlord and Tenant Board

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

The Tenant has until July 6, 2023, to file a motion with the LTB to set aside the order under s. 78(9) of the Act. If the tenant files the motion by July 6, 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.

