



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

Citation: Toronto Community Housing Corporation v Muhammed Rajab, 2023 ONLTB 40752

Date: 2023-06-07

File Number: LTB-L-038900-23

In the matter of: 2, 185 1/2 BEVERLEY ST
TORONTO ON M5T1Y9

Between: Toronto Community Housing Corporation Landlord

And

Maryam Rajab and Muhammed Rajab Tenants

Toronto Community Housing Corporation (the 'Landlord') applied for an order to terminate the tenancy and evict Maryam Rajab and Muhammed Rajab (the 'Tenants') because the Tenants did not meet a condition(s) specified in the order issued by the LTB on March 2, 2023 with respect to application LTB-L-041497-22.

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 conditions specified in the order:

The Tenants failed to maintain the rental unit in compliance with fire, safety, property, housing, and other relevant standards.

The Tenants also failed to accept the assistance of the Landlord and declined to authorize a cleaning and decluttering service offered and paid for by the Landlord.

It is ordered that:

1. Order LTB-L-041497-22 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 June 18, 2023.

3. If the unit is not vacated on or before June 18, 2023, then starting June 19, 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 June 19, 2023.

June 7, 2023
Date Issued

Emile Ramlochan
Member, Landlord and Tenants Board

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

The Tenants have until June 17, 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 June 17, 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 December 19, 2023 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.