



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

Citation: Toronto Community Housing Corporation v Yusheng Cheng, 2023 ONLTB 38814

Date: 2023-06-02

File Number: LTB-L-034440-23

In the matter of: 525, 168 JOHN ST
TORONTO ON M5T2X9

Between: Toronto Community Housing Corporation Landlord

And

Yusheng Cheng Tenant

Toronto Community Housing Corporation (the 'Landlord') applied for an order to terminate the tenancy and evict Yusheng Cheng (the 'Tenant') because the Tenant did not meet a condition specified in the order issued by the LTB on March 16, 2022 with respect to application TSL-11568-19.

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 did not maintain the rental unit and balcony in a safe, clean and uncluttered condition below a level 3 on the Clutter Image Rating Scale for a period of two years beyond May 31, 2022.

It is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated. The Tenant must move out of the rental unit on or before June 13, 2023.
2. If the unit is not vacated on or before June 13, 2023, then starting June 14, 2023, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.

3. 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 14, 2023.

June 2, 2023
Date Issued

Vladislav Shustov

Member, Landlord and Tenant Board

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

The Tenant has until June 12, 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 June 12, 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 7, 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.