



Tribunals Ontario
Landlord and Tenant Board

Tribunaux décisionnels Ontario
Commission de la location immobilière

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

Citation: Capreit Limited Partnership v Seon Alaric Abrams, 2023 ONLTB 39198

Date: 2023-05-29

File Number: LTB-L-037673-23

In the matter of: 409, 1 CHERITAN AVE TORONTO
ON M4R2C8

Between: Capreit Limited Partnership

Landlord

And

Kwacy Amiel Abrams
Seon Alaric Abrams

Tenants

Capreit Limited Partnership (the 'Landlord') applied for an order to terminate the tenancy and evict Kwacy Amiel Abrams and Seon Alaric Abrams (the 'Tenants') because the Tenants did not meet a condition specified in the order issued by the LTB on November 3, 2022 with respect to application LTB-L-044149-22.

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 does 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 not threaten and/or make derogatory comments against another resident, the Landlord or an employee of the Landlord.

The Tenants also failed to not make excessive noise, including yelling and screaming within the residential complex.

It is ordered that:

1. Order LTB-L-044149-22 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 9, 2023.
3. If the unit is not vacated on or before June 9, 2023, then starting June 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 June 10, 2023.

May 29, 2023

Date Issued

Michael Di Salle

Member, Landlord and Tenant Board

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

The Tenants have until June 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 June 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 December 10, 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