



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

Citation: B.P.M. (Mill St.) Developments Limited v Poulin, 2023 ONLTB 36115

Date: 2023-05-16

File Number: LTB-L-029211-23

In the matter of: 706, 62 PARK AVE
GEORGETOWN ON L7G4Z1

Between: B.P.M. (Mill St.) Developments Limited c/o Realstar Management Partnership Landlord

And

Nadia Poulin Tenant

On April 11, 2023, B.P.M. (Mill St.) Developments Limited c/o Realstar Management Partnership (the 'Landlord') applied for an order to terminate the tenancy and evict Nadia Poulin (the 'Tenant') because the Tenant did not meet a condition specified in the order issued by the LTB on May 17, 2022, with respect to application SOL-27099-22-SA.

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 the full lawful rent in full on or before April 1, 2023.

It is ordered that:

1. Order SOL-27099-22-SA 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 May 27, 2023.

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3. If the unit is not vacated on or before May 27, 2023, then starting May 28, 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 May 28, 2023.

May 16, 2023

Date Issued

Kimberly Parish

Member, Landlord and Tenant Board

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

The Tenant has until May 26, 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 May 26, 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 November 28, 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.

