



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

**Citation:** Prince Edward Lennox & Addington Housing Corporation v Kennedy, 2023 ONLTB  
36507

**Date:** 2023-05-10

**File Number:** LTB-L-022166-23

**In the matter of:** 219, 34 WATER ST W  
NAPANEE ON K7R1V4

**Between:** Prince Edward Lennox & Addington Housing Corporation Landlord

**And**

Brandi Kennedy Tenant

On March 14, 2023, Prince Edward Lennox & Addington Housing Corporation (the 'Landlord') applied for an order to terminate the tenancy and evict Brandi Kennedy (the 'Tenant') because the Tenant did not meet conditions specified in the order issued by the Board on July 28, 2022 with respect to application LTB-L-019948-22.

This application was decided without a hearing being held.

### **Determinations:**

1. The previous 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 a certain condition in the order. This application was filed within 30 days of the breach.
2. I find that the Tenant has not met the following conditions specified in the order: **The Tenant shall not have guests causing excessive traffic in the residential complex hallways, that beyond a 'normal' amount of guests visiting in the complex on a daily basis. On March 8, 2023 between 11 pm and 6 am there were 12 guests in and out of the Tenant's unit as captured by the Landlord on closed-circuit television footage.**

**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 May 21, 2023.

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2. If the unit is not vacated on or before May 21, 2023, then starting May 22, 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 May 22, 2023.

**May 10, 2023**

**Date Issued**

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Kimberly Parish

Member, Landlord and Tenant Board

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

The Tenant has until May 20, 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 20, 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 22, 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.

