



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

**Citation:** LIUNA Non Profit Housing Corp v Copeland, 2023 ONLTB 33584

**Date:** 2023-04-28

**File Number:** LTB-L-019854-23

**In the matter of:** 1210, 248 BRITTANY DR  
OTTAWA ON K1K4R2

**Between:** LIUNA Non Profit Housing Corp Landlord

**And**

Jessica Copeland Tenant

On March 6, 2023, LIUNA Non Profit Housing Corp (the 'Landlord') applied for an order to terminate the tenancy and evict Jessica Copeland (the 'Tenant') because the Tenant did not meet a condition specified in the order issued by the LTB on February 22, 2023 with respect to application LTB-L-051455-22.

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 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 was not to directly or indirectly allow her dog to leave the rental unit without a muzzle on and was to keep the dog muzzled at all times when the dog is elsewhere in the residential complex.**

**On March 2, 2023, the Tenant failed to muzzle her dog. The Landlord submitted two videos showing the Tenant with the dog in the common area of the residential complex and the dog was unmuzzled.**

### 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 9, 2023.

2. If the unit is not vacated on or before May 9, 2023, then starting May 10, 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 10, 2023.

**April 28, 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 8, 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 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 November 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.