



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

Citation: Centurion Property Associates Inc v Fraser, 2023 ONLTB 33756

Date: 2023-04-27

File Number: LTB-L-022296-23

In the matter of: 0516, 550 LANG'S RD
OTTAWA ON K1K4C2

Between: Centurion Property Associates Inc Landlord

And

Patrick Fraser Tenant

Centurion Property Associates Inc (the 'Landlord') applied for an order to terminate the tenancy and evict Patrick Fraser (the 'Tenant') because the Tenant did not meet a condition specified in the mediated settlement signed by the parties on June 14, 2022, with respect to application LTB-L-029319-22.

This application was decided without a hearing being held.

Determinations:

1. The mediated settlement 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 mediated settlement. This application was filed within 30 days of the breach.
2. I find that the Tenant has not met the following condition(s) specified in the mediated settlement: **The Tenant failed to pay to the Landlord the lawful rent of \$1,209.34 in full and on time, on or before March 1, 2023**

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 8, 2023.
2. If the unit is not vacated on or before May 8, 2023, then starting May 9, 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 9, 2023.

April 27, 2023

Date Issued

Vladislav Shustov

Member, Landlord and Tenant Board

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

The Tenant has until May 7, 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 7, 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 9, 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.

2023 ONLTB 33756 (CanLII)