



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

Citation: Apartments v Sabumukiza, 2023 ONLTB 33447

Date: 2023-04-26

File Number: LTB-L-019253-23

In the matter of: 708, 180 LEES AVE
OTTAWA ON K1S5J6

Between: Paramount properties in trust for Riverview Place Apartments Landlord

And

Kevin Sabumukiza Tenant

Paramount properties in trust for Riverview Place Apartments (the 'Landlord') applied for an order to terminate the tenancy and evict Kevin Sabumukiza (the 'Tenant') because the Tenant did not meet a condition specified in the mediated settlement signed by the parties on February 28, 2023 with respect to application LTB-L-035414-22.

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 specified in the mediated settlement: The Tenant failed to pay the lawful rent on or before March 01, 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 7, 2023.

2. If the unit is not vacated on or before May 7, 2023, then starting May 8, 2023, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.

Order Page: 1 of 2

File Number: LTB-L-019253-23

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 8, 2023.

April 26, 2023

Date Issued

Lynn Mitchell

Member, Landlord and Tenant Board

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

The Tenant has until May 6, 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 6, 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 8, 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.

Order Page: 2 of 2