



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

Citation: Cinti v Forthuber, 2023 ONLTB 29267

Date: 2023-04-04

File Number: LTB-L-018591-23

In the matter of: 4, 12 Kennedy Avenue
Kitchener ON N2G2ZB

Between: Bryan Cinti Landlord

And

Joel Forthuber Tenant

Bryan Cinti (the 'Landlord') applied for an order to terminate the tenancy and evict Joel Forthuber (the 'Tenant') because the Tenant did not meet a condition specified in the order issued by the LTB on February 13, 2023 with respect to application LTB-L-054581-22.

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 failed to pay to the Landlord \$708.00 on or before February 17, 2023, towards arrears of rent.

3. The Landlord seeks an order terminating the tenancy and does not seek to collect rent and other charges the Tenant may owe up to the date they move out of the rental unit.

4. An order shall issue accordingly.

It is ordered that:

1. Order LTB-L-054581-22 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 April 15, 2023.

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3. If the unit is not vacated on or before April 15, 2023, then starting April 16, 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 April 16, 2023.

April 4, 2023

Date Issued

Sonia Anwar-Ali

Member, Landlord and Tenant Board

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

The Tenant has until April 14, 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 April 14, 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 October 16, 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.

