



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

Citation: Toronto Community Housing Corporation v Fistrovici, 2023 ONLTB 28911

Date: 2023-04-03

File Number: LTB-L-012556-23

In the matter of: 102, 2745 Yonge Street
Toronto Ontario M4N2H8

Between: Toronto Community Housing Corporation Landlord

And

Alec Fistrovici Tenant

Toronto Community Housing Corporation (the 'Landlord') applied for an order to terminate the tenancy and evict Alec Fistrovici (the 'Tenant') because the Tenant did not meet a condition specified in the order issued by the LTB on December 12, 2022 with respect to application TNL-37059-22.

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 conditions specified in the order:
 - On February 3, 2023, the unit was observed as not having a maintained 3 ft. walkway throughout the rental unit, which also freely allows access to the windows in the unit; and
 - On February 3, 2023, the doors into and within the unit were observed as being blocked from entering or exiting because of items stored at or near the doorways.

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 April 14, 2023.

2. If the unit is not vacated on or before April 14, 2023, then starting April 15, 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 April 15, 2023.

April 3, 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 13, 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 13, 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 15, 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.