



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

Citation: London & Middlesex Community Housing Inc. v Culligan, 2023 ONLTB 27833

Date: 2023-03-27

File Number: LTB-L-005054-23

In the matter of: 813, 580 DUNDAS ST
LONDON ON N6B1W9

Between: London & Middlesex Community Housing Landlord
Inc.

and

Deana Culligan

Tenant

London & Middlesex Community Housing Inc. (the 'Landlord') applied for an order to terminate the tenancy and evict Deana Culligan (the 'Tenant') because the Tenant did not meet a condition specified in the order issued by the LTB on December 20, 2022 with respect to application LTB-L018963-22.

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 and/or the Tenant's guests have not met the following conditions specified in the order:

4(a) refrain from committing any acts that substantially interfere with the reasonable enjoyment of the other residents in the residential complex by smoking a substance in an indoor common area on January 12, 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 April 07, 2023.

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2. If the unit is not vacated on or before April 07, 2023, then starting April 08, 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 08, 2023.

March 27, 2023
Date Issued

Lynn Mitchell

Member, Landlord and Tenant Board

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

The Tenant has until April 06, 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 06, 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 08, 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.

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