



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

Citation: Timms v French, 2023 ONLTB 27108

Date: 2023-03-24

File Number: LTB-L-005890-23

In the matter of: Bsmt Apt A, 20866 Shaws Creek Road Caledon
Ontario L7K1K7

Between: Karen Timms Landlord

And

Jeffrey (Jeff) French Tenant

Karen Timms (the 'Landlord') applied for an order to terminate the tenancy and evict Jeffrey (Jeff) French (the 'Tenant') because the Tenant did not meet a condition specified in the order issued by the LTB on July 27, 2022 with respect to application LTB-L-014875-22.

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 did not pay the lawful rent for November 2023 in full on or before November 1, 2023.

It is ordered that:

1. Order LTB-L-014875-22 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 04, 2023.

3. If the unit is not vacated on or before April 04, 2023, then starting April 05, 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-005890-23

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 05, 2023.

March 24, 2023

Date Issued

Lynn Mitchell

Member, Landlord and Tenant Board

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

The Tenant has until April 03, 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 03, 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 05, 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