



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

Citation: London & Middlesex Community Housing Inc. v Grant, 2023 ONLTB 27166

Date: 2023-03-22

File Number: LTB-L-079751-22

In the matter of: 604, 30 BASE LINE RD W LONDON
ON N6J1V3

Between: London & Middlesex Community Housing Landlord
Inc.

And

Alice Mary Rita Grant

Tenant

London & Middlesex Community Housing Inc. (the 'Landlord') applied for an order to terminate the tenancy and evict Alice Mary Rita Grant (the 'Tenant') because the Tenant did not meet a condition specified in the order issued by the LTB on with respect to application .

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:
 - Paragraphs 2 and 3 of the order prohibited the Tenant from allowing her son, BG, to visit her at the residential complex and prohibited the Tenant from allowing BC into the residential complex or the rental unit. Further, paragraph 4 of the order stipulated that if BG were to enter the residential complex without the Tenant's consent, and the Tenant were aware of that entry, the Tenant must contact the Community Housing Safety Unit at the contact number provided in the order.
 - The Tenant allowed her son, Billy Grant, to enter the rental unit on December 16,

2022, and December 17, 2022. If Billy Grant entered the rental unit without the Tenant's permission, the Tenant did not contact the Community Housing Safety Unit as ordered.

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2023 ONL TB 27166 (CanLII)

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 02, 2023.
2. If the unit is not vacated on or before April 02, 2023, then starting April 03, 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 03, 2023.

March 22, 2023

Date Issued

Lynn Mitchell

Member, Landlord and Tenant Board

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

The Tenant has until April 01, 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 01, 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 03, 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.

