



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

Citation: Huron County Housing Corporation v Brown, 2023 ONLTB 19287

Date: 2023-02-03

File Number: LTB-L-003643-23

In the matter of: 108, 31 MAIN ST RR 1
ZURICH ON N0M2T0

Between: Huron County Housing Corporation Landlord

And

Thomas Brown Tenant

Huron County Housing Corporation (the 'Landlord') applied for an order to terminate the tenancy and evict Thomas Brown (the 'Tenant') because the Tenant did not meet a condition specified in the order LTB-L-054197-22 issued by the LTB on December 14, 2022.

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.

The breach

2. I find that the Tenant has not met the following condition specified in the order:

The Tenant started an uncontrolled fire within the residential complex on January 6, and again on January 10, 2023, within the residential complex.

Daily compensation

3. The Landlord is entitled to daily compensation from the day after this order is issued to the date the Tenant moves out of the unit at a daily rate of \$4.71. This amount is calculated as follows: monthly rent \$143.00 x 12 months x 52, divided by 365 days.

Order Page: 1 of 2

File Number: LTB-L-003643-23

2023 ONL TB 19287 (CanLII)

It is ordered that:

1. The Landlord shall serve a copy of this order on the Tenant within 72 hours of the date of this order and file a certificate of service with the LTB.
2. Order LTB-L-054197-22 is cancelled.
3. The tenancy between the Landlord and the Tenant is terminated. The Tenant must move out of the rental unit on or before February 14, 2023.
4. If the unit is not vacated on or before February 14, 2023, then starting February 15, 2023, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
5. 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 February 15, 2023.
6. The Tenant shall pay to the Landlord \$4.70 per day for compensation for the use of the unit starting February 4, 2023, to the date the Tenant moves out of the unit.

February 3, 2023

Date Issued

Robert Patchett

Vice Chair, Landlord and Tenant Board

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

The Tenant has until February 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 February 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 August 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.