



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

**Citation:** Toronto Community Housing Corporation v Mohabeer, 2023 ONLTB 18140

**Date:** 2023-02-03

**File Number:** LTB-L-076631-22

**In the matter of:** 3, 275 Chester Le Blvd  
Toronto Ontario M1W2K7

**Between:** Toronto Community Housing Corporation Landlord

**And**

Amanda Mohabeer Tenant

On November 2, 2022, Toronto Community Housing Corporation (the 'Landlord') applied for an order to terminate the tenancy and evict Amanda Mohabeer (the 'Tenant') because the Tenant did not meet a condition specified in the mediated settlement signed by the parties on with respect to application TEL-02165-19.

This application was decided without a hearing being held.

### **Determinations:**

1. The mediated settlement 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 mediated settlement. 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 mediated settlement: The Tenant failed to pay \$300.00 to arrears, on or before October 28, 2022.

### **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 February 14, 2023.
2. 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.
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 February 15, 2023.

**February 3, 2023**  
**Date Issued**

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Ian Speers  
Associate Chair, Landlord and Tenant Board

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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.

