



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

**Citation:** Imh Pool Xx Lp v Sisouphanh, 2023 ONLTB 17128

**Date:** 2023-01-30

**File Number:** LTB-L-075315-22

**In the matter of:** 207, 100 Cosburn Ave  
East York ON M4K2G7

**Between:** Imh Pool Xx Lp Landlord

**And**

Jennifer Sisouphanh Tenants  
John Tsangaris

On October 28, 2022, Imh Pool Xx Lp (the 'Landlord') applied for an order to terminate the tenancy and evict Jennifer Sisouphanh and John Tsangaris (the 'Tenants') because the Tenants did not meet a condition specified in the order issued by the LTB on September 1, 2022 with respect to application LTB-L-000439-21.

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 Tenants to terminate the tenancy and evict the Tenants if the Tenants does not meet certain condition(s) in the order. This application was filed within 30 days of the breach.
2. I find that the Tenants have not met the following condition specified in the order: **The Tenants failed to pay \$1,101.75 toward the cost of repairing and/or replacing damaged property on or before September 30, 2022.**

**It is ordered that:**

1. The tenancy between the Landlord and the Tenants is terminated. The Tenants must move out of the rental unit on or before February 10, 2023.
2. If the unit is not vacated on or before February 10, 2023, then starting February 11, 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 11, 2023.

**January 30, 2023**

**Date Issued**

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Ian Speers

Associate Chair, Landlord and Tenant Board

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

The Tenants have until February 09, 2023 to file a motion with the LTB to set aside the order under s. 78(9) of the Act. If the tenants file the motion by February 09, 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 11, 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.

2023 ONLTB 17128 (CanLII)