



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

Citation: Toronto Community Housing Corp v Marchildon-Lococo, 2023 ONLTB 15770

Date: 2023-01-23

File Number: LTB-L-074366-22

In the matter of: 703, 121 Humber Boulevard
Toronto ON M6N2H6

Between: Toronto Community Housing Corp

And

Matthew Marchildon-Lococo



Landlord

Tenant

2023 ONLTB 15770 (CanLII)

On October 24, 2022, Toronto Community Housing Corp (the 'Landlord') applied for an order to terminate the tenancy and evict Matthew Marchildon-Lococo (the 'Tenant') because the Tenant did not meet a condition specified in the order issued by the LTB on August 10, 2022 with respect to application TSL-26268-22-SA.

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. Based on the photographs produced by the Landlord which I accept were taken during a follow-up inspection of the Tenant's rental unit on October 4, 2022, I find that the Tenant has not met the following condition specified in the order: **The Tenant failed to bring the entire rental unit, including the balcony, into a state of ordinary cleanliness, free of excessive clutter and/or debris, and free of fire, health, and/or life safety hazards, and with clear and unobstructed pathways from one room to another and to all entry and exit points on or before September 30, 2022.**

It is ordered that:

1. Order TSL-26268-22-SA 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 February 03, 2023.

3. If the unit is not vacated on or before February 03, 2023, then starting February 04, 2023, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
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 February 04, 2023.

January 23, 2023
Date Issued



Kimberly Parish
Member, Landlord and Tenant Board

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

The Tenant has until February 02, 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 02, 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 04, 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.