



**Order under Section 69  
Residential Tenancies Act, 2006**

**Citation:** Hu v Cameron, 2023 ONLTB 13790

**Date:** 2023-01-06

**File Number:** LTB-L-040761-22

**In the matter of:** Basement, 210 DEARBORN AVE  
OSHAWA ON L1G4Z4

**Between:** Newman Hu Landlord

**And**

Christopher Cameron Tenant

Newman Hu (the 'Landlord') applied for an order to terminate the tenancy and evict Christopher Cameron (the 'Tenant') because:

- the Tenant or another occupant of the rental unit has committed an illegal act or has carried out, or permitted someone to carry out an illegal trade, business or occupation in the rental unit or the residential complex involving the production of an illegal drug, the trafficking in an illegal drug or the possession of an illegal drug for the purposes of trafficking.

This application was heard by videoconference on December 20, 2022. Only the Landlord attended the hearing. As of 9:30am, the Tenant was not present, despite being served with notice of hearing by the Board. Jacob Coull appeared as witness for the Landlord.

**Determinations:**

1. As explained below, the Landlord has proven on a balance of probabilities the grounds for termination of the tenancy.
2. The Tenant was in possession of the rental unit on the date the application was filed.
3. On July 19, 2022 the Landlord served the Tenant with an N6 notice of termination. The notice alleges that the Tenant has committed an illegal act within the rental unit involving the possession of illegal drugs.
4. Police Constable Jacob Coull provided oral testimony at the hearing. Mr. Coull, testified that on July 19, 2022 at approximately 10:30am, Durham Regional Police executed a search warrant at the rental unit. During the execution of the search warrant, Police seized 4.5 grams of crack cocaine and 0.4 grams of powdered cocaine.
5. Based on the uncontested evidence before the Board I am satisfied that the Tenant has committed an illegal act within the rental unit by possessing an illegal substance defined in the *Controlled Drugs and Substances Act*.

6. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
7. I have considered all of the disclosed circumstances in accordance with subsection 83(2) of the *Residential Tenancies Act, 2006* (the 'Act'), and find that it would be unfair to grant relief from eviction pursuant to subsection 83(1) of the Act.

**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 January 11, 2023.
2. If the unit is not vacated on or before January 11, 2023, then starting January 12, 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 January 12, 2023. The Sheriff is requested to expedite the enforcement of this order.
4. The Tenant shall pay to the Landlord \$186.00 for the cost of filing the application.
5. If the Tenant does not pay the Landlord the full amount owing on or before January 11, 2023, the Tenant will start to owe interest. This will be simple interest calculated from January 12, 2023 at 5.00% annually on the balance outstanding.

**January 6, 2023**  
**Date Issued**

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Fabio Quattrociochi  
Member, Landlord and Tenant Board

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

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 of the Tenant expires on July 12, 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.