



**Order under Section 94
Residential Tenancies Act, 2006**

Citation: Frontenac Condominium Corporation 21 v Read, 2022 ONLTB 10533

Date: 2022-11-03

File Number: LTB-L-026388-22

In the matter of: 104, 257 BATH ROAD
Kingston ON K7M7T3

Between: Frontenac Condominium Corporation 21 Landlord

And

Dave Read Tenants
Julie Read

Frontenac Condominium Corporation 21 (the 'Landlord') applied for an order to terminate the tenancy and evict Dave Read and Julie Read (the 'Tenants') because:

- the rental unit is the superintendent's premises and the Tenant's employment as superintendent has ended.

This application was heard by videoconference on October 27, 2022.

The Landlord's Agent Sharon Shaver and the Tenant Julie Read attended the hearing.

The Tenant spoke with Duty Counsel prior to the hearing.

Determinations:

1. At the outset of the hearing, the Landlord confirmed that the hearing could proceed in English, in that they had inadvertently checked the "Request for French Language Services" box.
2. The Tenant was in possession of the rental unit on the date the application was filed.
3. The Landlord terminated the employment of the Tenant on January 5, 2022. The Tenant has not vacated the superintendent's premises and more than one week has passed since their employment was terminated.
4. It was uncontested that the Superintendent Julie Read had vacated the Superintendents rental unit as of August 1, 2022, and that the Superintendent and spouse would not be returning to the unit.

2022 ONLTB 10533 (CanLI)

It is ordered that:

1. The tenancy between the Landlord and the Superintendent is terminated as of August 1, 2022, the date the Superintendent provided vacant possession to the Landlord.

November 3, 2022

Date Issued

Robert Patchett

Vice Chair, 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 May 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.