



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

File Number: LTB-L-050281-25

In the matter of: Unit 2 (Upper), 63 MCMILLAN DR
OSHAWA ON L1G3Z7

Between: Andrew James

Landlord

And

Austin Henderson
Trinity Broomer-Daigle

Tenants

I hereby certify this is a
true copy of an Order dated

Jun 27, 2025

Landlord and Tenant Board

Andrew James (the 'Landlord') applied for an order to terminate the tenancy and evict Austin Henderson and Trinity Broomer-Daigle (the 'Tenants') because the Tenants did not meet a condition specified in the order issued by the LTB on May 13, 2025 with respect to application LTB-L-037683-24-RV.

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 do not meet certain condition(s) in the order. This application was filed within 30 days of the breach.
2. I find that the Tenants had not met the following condition specified in the order:

Upon inspection on June 14, 2025, of the rental unit and specifically the deck of the unit, it was found that the Tenant had failed to clear all the garbage on it, and it was not in a reasonable state of cleanliness. Photos of the cluttered deck were taken upon inspection. This was based on the Landlords L4 application and declaration.

This breach of the order by the Tenant, another occupant of the rental unit or a person the Tenant permitted in the residential complex has substantially interfered with the reasonable enjoyment of the residential complex or another lawful right, privilege or interest of the Landlord or another tenant.

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 July 8, 2025.

2. If the unit is not vacated on or before July 8, 2025, then starting July 9, 2025, 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 July 9, 2025.

June 27, 2025
Date Issued



James McMaster
Member, Landlord and Tenant Board

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

The Tenants have until July 7, 2025, 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 July 7, 2025, 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 January 9, 2026, 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.