



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

File Number: LTB-L-108352-25

In the matter of: 1603, 25 COUGAR CRT
SCARBOROUGH ON M1J3E5

Between: MetCap Living Management Inc. Landlord

And

Charmaine Beausoleil Tenant

MetCap Living Management Inc. (the 'Landlord') applied for an order to terminate the tenancy and evict Charmaine Beausoleil (the 'Tenant') and for an order to have the Tenant pay the rent they owe because the Tenant did not meet a condition specified in the order issued by the LTB on November 14, 2025 with respect to application LTB-L-070989-25.

This application was decided without a hearing being held.

Determinations:

1. The order provides that the Landlord can apply to the Landlord and Tenant Board 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 alleged breach.
2. The Landlord claims in the Declaration in support of the application that the Tenant breached the prior order LTB-L-070989-25 in two ways. The Landlord claims the Tenant failed to pay the lawful monthly for December 2025 by December 1, 2025 and the Tenant also failed to pay \$566.42 towards the arrears by December 1, 2025.
3. The Landlord claims in the application that the Tenant paid \$1,766.00 to the Landlord on November 30, 2025 which is supported by a copy of the rent ledger produced by the Landlord.
4. The application notes the monthly rent is \$1,197.33. The monthly rent of \$1,197.33 plus the arrears payment of \$566.42 total \$1,763.75. The payment made by the Tenant on November 30, 2025 in the amount of \$1,766.00 exceeds the amount the Tenant is required to pay by December 1, 2025 by \$2.75. Therefore, there is no breach of the prior order LTB-L-070989-25. The Landlord and Tenant Board has no jurisdiction to terminate the tenancy under section 78 of the Act.

It is ordered that:

1. The Landlord's application is dismissed.

January 5, 2026
Date Issued

Kimberly Parish
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.