



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

File Number: LTB-L-100627-25

In the matter of: 1608, 370 MCCOWAN RD
SCARBOROUGH ON M1J1J3

Between: COTA Health Landlord

And

Kacy Epiphane Tenant

COTA Health (the 'Landlord') applied for an order to terminate the tenancy and evict Kacy Epiphane (the 'Tenant') and for an order to have the Tenant pay compensation for damage they owe because the Tenant failed to meet a condition specified in the order issued by the Board on September 15, 2025 with respect to application LTB-L-037132-25.

A hearing was held by videoconference on January 2, 2026 to consider this application. The Landlord's representative, Robert Abbaangelo, attended the hearing.

As of 10:00am, the Tenant was not present or represented at the hearing although properly served with notice of this hearing by the LTB. There was no record of a request to adjourn the hearing.

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 conditions in the order.
2. I find that the Tenant did not meet the following conditions specified in the order:
3. The Tenant was ordered to pay the Landlord \$2,500.00 in compensation for damage. The Tenant was ordered to pay the Landlord \$25.00 on or before the 1st day of each month from October 2025 until the entire amount was paid in full. The Tenant made one \$25.00 payment on November 3rd and has misses all other payments.
4. The Tenant was also ordered not to play loud music or drop objects on the floor.
5. The Landlord's representative submits that they received a complaint from November 23rd where the Tenant was playing loud music and dropping objects from 10:00pm until the early morning of November 24th.

6. The application was filed within 30 days of the breach.
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. Order LTB-L-037132-25 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 January 19, 2026.
3. If the unit is not vacated on or before January 19, 2026, then starting January 20, 2026, 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 January 20, 2026.
5. The Tenant shall pay to the Landlord \$2,475.00*. This amount represents the unpaid compensation for damage.
6. If the Tenant does not pay the Landlord the full amount owing on or before January 19, 2026, the Tenant will start to owe interest. This will be simple interest calculated from January 20, 2026 at 4.00% annually on the balance outstanding.

January 8, 2026

Date Issued

Greg Joy

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 20, 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.

* Refer to the attached Summary of Calculations Table.

SUMMARY OF CALCULATIONS TABLE

Amount the Tenant must pay the Landlord:

Reason for amount owing	Period	Amount
Amount of compensation for damages owing from previous order		\$2,475.00
Total the Tenant must pay the Landlord:		\$2,475.00