



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

File Number: LTB-L-003711-26

In the matter of: 1408, 730 SAINT CLARENS AVE
TORONTO ON M6H4E8

Between: AKELIUS CANADA LTD Landlord

And

YANIQUE SMITH Tenants
VONZEL SMITH

AKELIUS CANADA LTD (the 'Landlord') applied for an order to terminate the tenancy and evict YANIQUE SMITH and VONZEL SMITH (the 'Tenants') because the Tenants did not meet a condition specified in the order issued by the LTB on August 28, 2025 with respect to application LTB-L-041769-25.

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 have not met the following condition specified in the order:

The Tenants failed to pay the lawful monthly rent for January 2026 in full by January 1, 2026.

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 January 30, 2026.
2. If the unit is not vacated on or before January 30, 2026, then starting January 31, 2026, 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 31, 2026.

January 19, 2026
Date Issued

Kimberly Parish
Vice Chair, Landlord and Tenant Board

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

The Tenants have until January 29, 2026 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 January 29, 2026 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 July 31, 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.