



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

File Number: LTB-L-091731-25

In the matter of: UPPER UNIT, 64 XAVIER ST
SUDBURY ON P3C2B9

Between: Native People of Sudbury Development Corporation Landlord

And

Colleen King Tenants
Adrian Abel

Native People of Sudbury Development Corporation (the 'Landlord') applied for an order to terminate the tenancy and evict Colleen King and Adrian Abel (the 'Tenants') and for an order to have the Tenants pay compensation for damage they owe because the Tenants did not meet a condition specified in the order issued by the LTB on with respect to application LTB-L-025637-25.

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(s) specified in the order:
 - a) **The Tenants did not keep the common areas of the residential complex and rental property free and clear of personal items, garbage, household debris and unwanted furniture. This includes the laundry room and any other common area spaces on the premises (indoor or outdoor).**
 - b) **The Tenants take proper care and control of the rental unit to make sure there is no unnecessary damage.**
3. The previous application includes a request for an order for compensation for damage and the order requires the Tenants to pay an amount for damage. Accordingly, the Landlord is entitled to request an order for compensation for damage.

4. The Tenants were required to pay \$1,428.20 for compensation for damage and the application filing fee in the previous order. The amount that is still owing from that order is \$0.00 and that amount is included in this order. This order replaces order LTB-L-025637-25.
5. The Landlord is entitled to daily compensation from the day after this order is issued to the date the Tenants move out of the unit at a daily rate of \$22.92. This amount is calculated as follows: \$697.00 x 12, divided by 365 days.

It is ordered that:

1. Order LTB-L-025637-25 is cancelled.
2. The tenancy between the Landlord and the Tenants is terminated. The Tenants must move out of the rental unit on or before February 6, 2026.
3. If the unit is not vacated on or before February 6, 2026, then starting February 7, 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 February 7, 2026.
5. The Tenants shall also pay to the Landlord \$22.92 per day for compensation for the use of the unit starting January 27, 2026, to the date the Tenants move out of the unit.
6. If the Tenants do not pay the Landlord the full amount owing on or before February 6, 2026, the Tenants will start to owe interest. This will be a simple interest calculated from February 7, 2026, at 4.00% annually on the balance outstanding.

January 26, 2026
Date Issued

Alicia Johnson
Member, Landlord and Tenant Board

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

The Tenants have until February 5, 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 February 5, 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 August 7, 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.

Summary of Calculation**Amount the Tenants must pay the Landlord:**

Reason for amount owing	Period	Amount
Daily compensation owing for each day of occupation starting January 27, 2026		\$22.92 (per day)
Total the Tenants must pay the Landlord:		\$0.00 +\$22.92 per day starting January 27, 2026