



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

**File Number:** LTB-L-006596-26

**In the matter of:** 33, 5756 FERRY ST  
NIAGARA FALLS ON L2G1S7

**Between:** CAC Construction and Management Inc. Landlord

**And**

Bobby Mathieson Tenant

CAC Construction and Management Inc. (the 'Landlord') applied for an order to terminate the tenancy and evict Bobby Mathieson (the 'Tenant') and for an order to have the Tenant pay compensation for damage they owe because the Tenant did not meet a condition specified in the order issued by the LTB on January 7, 2026 with respect to application LTB-L-077166-25.

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 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 breach.
2. I find that the Tenant has not met the following condition specified in the order:

**The Tenant failed to remove excessive clutter, belongings and garbage and did not eradicate the cat odour.**

**On January 17, 2026, the Landlord's agent completed an inspection of the rental unit. It was observed that the rental unit was not maintained in a state of ordinary cleanliness and free of excessive clutter. There were numerous items piled on the balcony of the rental unit that is stacked higher than the guard railing. The Landlord's agent had also noted the smell of the cat odour had not been eradicated.**

3. The Landlord is entitled to daily compensation from the day after this order is issued to the date the Tenant moves out of the unit at a daily rate of \$23.44. This amount is calculated as follows: \$713.00 x 12, divided by 365 days.

**It is ordered that:**

1. The tenancy between the Landlord and the Tenant is terminated. The Tenant must move out of the rental unit on or before February 10, 2026.
2. If the unit is not vacated on or before February 10, 2026, then starting February 11, 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 February 11, 2026.
4. The Tenant shall pay to the Landlord \$23.44 per day for compensation for the use of the unit starting January 31, 2026 to the date the Tenant moves out of the unit.

**January 30, 2026**  
**Date Issued**

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Joshua Labbe  
Member, Landlord and Tenant Board

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

The Tenant has until February 9, 2026 to file a motion with the LTB to set aside the order under s. 78(9) of the Act. If the tenant files the motion by February 9, 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 11, 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.