



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

File Number: LTB-L-008627-26

In the matter of: 209, 828 Concession Rd
Fort Erie ON L2A6H3

Between: Fort Erie Municipal Non-Profit Housing Corporation Landlord

And

Niki Donovan Tenant

Fort Erie Municipal Non-Profit Housing Corporation (the 'Landlord') applied for an order to terminate the tenancy and evict Niki Donovan (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 July 2, 2025, with respect to application LTB-L-027643-25.

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 pay to the Landlord the out-of-pocket expense payment of \$262.00 in full and on time, on or before January 1, 2026.
3. The previous application includes a request for an order for compensation for damage and the order requires the Tenant to pay an amount for damage. Accordingly, the Landlord is entitled to request an order for compensation for damage.
4. The Tenant was required to pay \$2,374.40 for compensation for damage and the application filing fee in the previous order. The amount that is still owing from that order is \$1,850.40 and that amount is included in this order. This order replaces order LTB-L-027643-25.
5. The Landlord collected a rent deposit of \$128.00 from the Tenant and this deposit is still being held by the Landlord.

6. Interest on the rent deposit is owing to the Tenant for the period from January 31, 2025, to February 6, 2026.
7. The amount of the rent deposit and interest on the rent deposit is applied to the amount the Tenant is required to pay.

It is ordered that:

1. Order LTB-L-027643-25 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 February 17, 2026.
3. If the unit is not vacated on or before February 17, 2026, then starting February 18, 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 18, 2026.
5. The Tenant shall pay to the Landlord \$1,719.66. This amount represents the unpaid compensation for damage the costs related to the application fee for the previous application, less the rent deposit and interest the Landlord owes on the rent deposit.
6. If the Tenant does not pay the Landlord the full amount owing on or before February 17, 2026, the Tenant will start to owe interest. This will be a simple interest calculated from February 18, 2026, at 4.00% annually on the balance outstanding.

February 6, 2026

Date Issued

Kelly Delaney

Member, Landlord and Tenant Board

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

The Tenant has until February 16, 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 16, 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 18, 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 Tenant must pay the Landlord:

Reason for amount owing	Period	Amount
Amount of compensation for damages owing from previous order		\$1,850.40
Less the rent deposit:		-\$128.00
Less the interest owing on the rent deposit	January 31, 2025 to February 6, 2026	-\$2.74
Total the Tenant must pay the Landlord:		\$1,719.66