



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

File Number: LTB-L-013367-26

In the matter of: 413, 20 SEWELLS RD
SCARBOROUGH ON M1B3G5

Between: WIGWAMEN INCORPORATED Landlord

And

KELLY GRAY Tenant

WIGWAMEN INCORPORATED (the 'Landlord') applied for an order to terminate the tenancy and evict KELLY GRAY (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 December 23, 2025 with respect to application LTB-L-078364-25.

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 refrain from assaulting any person on the residential complex including but not limited to other residents, occupants, visitors, and the Landlord's staff.

The Tenant failed to refrain from any violent behaviour including verbal or physical acts of violence towards any person on the residential complex including but not limited to other residents, occupants, visitors and the Landlord's staff.

The Landlord claims the Tenant engaged in the following incidents:

- **On January 20, 2026 at approximately 2:00 am, the Tenant entered a neighbouring resident's unit, uninvited, punched one of the resident's guests and threw a mug of coffee on them;**

- On January 20, 2026 at approximately 4:30 am, the Tenant returned to the neighbouring resident's unit, uninvited, and pushed and struck the resident physically;
 - On January 20, 2026 between approximately 5:00 am - 6:00 am, the Tenant returned to the neighbouring resident's unit, uninvited. The Tenant pushed their way through the door and chased the resident around their unit while making verbal threats towards the resident and their guests. The Tenant punched a hole in the wall and was then escorted back to the rental unit;
 - On January 20, 2026 between approximately 6:00 am – 8:00 am, the Tenant returned to the neighbouring resident's unit and made verbal threats to the resident while kicking the door of their unit. The resident called the police and the Tenant could be heard threatening the resident that the Tenant would kill them. The Tenant was escorted back to the rental unit; and
 - On January 20, 2026 at approximately 7:00 am, the police arrived to speak with the Tenant at the rental unit. The Tenant was there with one of the guests and when the police left, the Tenant did not allow the guest to leave the rental unit and blocked the door. The Tenant then struck the guest in the back of the head and the police were called again.
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 \$9.17. This amount is calculated as follows: \$279.00 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 28, 2026.
2. If the unit is not vacated on or before February 28, 2026, then starting March 1, 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 March 1, 2026.
4. The Tenant shall pay to the Landlord \$9.17 per day for compensation for the use of the unit starting February 18, 2026 to the date the Tenant moves out of the unit.

February 17, 2026
Date Issued

Kimberly Parish
Vice Chair, Landlord and Tenant Board

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

The Tenant has until February 27, 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 27, 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 September 1, 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.