



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

File Number: LTB-L-012296-26

In the matter of: 1526, 250 WELLINGTON ST W
TORONTO ON M5V3P6

Between: Antonio Brancatella Landlords
Paul James Purves

And

Harvey Derwin Tenant

Antonio Brancatella and Paul James Purves (the 'Landlords') applied for an order to terminate the tenancy and evict Harvey Derwin (the 'Tenant') because the Tenant did not meet a condition specified in the order issued by the LTB on July 9, 2025, with respect to application LTB-L-036945-25-SA.

This application was decided without a hearing being held.

Determinations:

1. The order provides that the Landlords 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 the full \$1,759.00 towards arrears on or before February 1, 2026.

It is ordered that:

1. Order LTB-L-036945-25-SA is cancelled.
2. The tenancy between the Landlords and the Tenant is terminated. The Tenant must move out of the rental unit on or before February 28, 2026.
3. If the unit is not vacated on or before February 28, 2026, then starting March 1, 2026, the Landlords 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 Landlords on or after March 1, 2026.

February 17, 2026
Date Issued

Kelly Delaney

Member, 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.