



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

File Number: LTB-L-014468-26

In the matter of: 241, 195 WELLINGTON ST S
HAMILTON ON L8N2R7

Between: 195 WELLINGTON STREET INC. Landlord

And

DANIEL BARNHARDT Tenant

195 WELLINGTON STREET INC. (the 'Landlord') applied for an order to terminate the tenancy and evict DANIEL BARNHARDT (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 February 10, 2026 with respect to application LTB-L-085044-25.

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 conditions in Paragraphs 2 and 3 as specified in the February 10, 2026 consent order:

"The Tenant shall not refuse pest control treatment once proper notice of entry has been provided.

The Tenant shall have the unit properly prepared for pest control treatment, in accordance with the preparation sheet provided to the Tenant, once a proper notice of entry is provided to the Tenant."

The Tenant failed to properly prepare the rental unit for the scheduled pest control treatment on February 11, 2026.

3. This order replaces order LTB-L-085044-25.
4. The Landlord collected a rent deposit of \$1,275.00 from the Tenant and this deposit is still being held by the Landlord.

5. Interest on the rent deposit is owing to the Tenant for the period from May 1, 2025, to February 23, 2026.
6. The amount of the rent deposit and interest on the rent deposit is applied to the amount the Tenant is required to pay.
7. 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 \$45.68. This amount is calculated as follows: \$1,389.50 x 12, divided by 365 days.

It is ordered that:

1. Order LTB-L-085044-25 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 March 6, 2026.
3. If the unit is not vacated on or before March 6, 2026, then starting March 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 March 7, 2026.
5. As of the date of this order, the amount of the rent deposit and interest the Landlord owes on the rent deposit totals \$1,296.93*.
6. However, the Landlord is authorized to deduct the following from the amount the Landlord owes the Tenant: \$45.68 per day for compensation for the use of the unit starting February 24, 2026, to the date the Tenant moves out of the unit.
7. The Landlord or the Tenant shall pay to the other any sum of money that is owed as a result of this order.

February 23, 2026
Date Issued

Kimberly Parish
Vice Chair, Landlord and Tenant Board

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

The Tenant has until March 5, 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 March 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 September 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 Tenant must pay the Landlord:**

Reason for amount owing	Period	Amount
Less the rent deposit:		-\$1,275.00
Less the interest owing on the rent deposit	May 1, 2025, to February 23, 2026	-\$21.93
Plus, daily compensation owing for each day of occupation starting February 24, 2026		\$45.68 (per day)
Total the Tenant must pay the Landlord:		- \$1,296.93 +\$45.68 per day starting February 24, 2026