



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

File Number: LTB-L-028142-26

In the matter of: 72 CONCORD DR
THOROLD ON L2V0K8

Between: GURSIMRAN SINGH DHINDSA Landlord

And

ANNA JITUSKA SMAHEL Tenant

On March 30, 2026, GURSIMRAN SINGH DHINDSA (the 'Landlord') applied for an order to terminate the tenancy and evict ANNA JITUSKA SMAHEL (the 'Tenant') because the Tenant did not meet a condition specified in the order issued by the landlord and Tenant Board ('LTB') on February 5, 2026 with respect to application LTB-L-089485-25 ('L2 application').

This application was decided without a hearing being held.

Determinations:

1. The Landlord also filed with this application, a copy of Order LTB-L-098868-25 ('L1 application') which was also issued on February 5, 2026. The Landlord will need to file a new L4 application if the Landlord is claiming a breach under section 78 of the *Residential Tenancies Act, 2006* (the 'Act') relating to Order LTB-L-098868-25. This is because each L4 application can only be based on one prior order for which an ex parte could potentially issue. Therefore, the Order being issued for this application is in relation to the prior Order LTB-L-089485-25 ('L2 application').
2. The Order LTB-L-089485-25 provides that the Landlord can apply to the LTB under section 78 of 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.
3. I find that the Tenant has not met the following condition specified in the order:

The Tenant failed to pay \$282.58 for the outstanding utilities, hot water tank rental and the application filing fee on or before March 20, 2026.

4. The L4 application also seeks an order requiring the Tenant to pay unpaid utility charges in the amount of \$3,082.58. The LTB does not have the authority to make such an order for an application filed under section 78 of the Act. However, the order previously issued by the LTB with respect to application LTB-L-089485-25 requires the Tenant to pay unpaid utility charges. That order remains in effect and may be enforced separately from this order. **Therefore, this order only terminates the tenancy.**

5. The Landlord collected a rent deposit of \$2,400.00 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 December 1, 2023 to April 1, 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.
8. 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 \$85.48. This amount is calculated as follows: \$2,600.00 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 April 12, 2026.
2. If the unit is not vacated on or before April 12, 2026, then starting April 13, 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 April 13, 2026.
4. As of the date of this order, the amount of the rent deposit and interest the Landlord owes on the rent deposit totals \$2,536.85*.
5. However, the Landlord is authorized to deduct the following from the amount the Landlord owes the Tenant: \$85.48 per day for compensation for the use of the unit starting April 2, 2026, to the date the Tenant moves out of the unit.
6. The Landlord or the Tenant shall pay to the other any sum of money that is owed as a result of this order.

April 1, 2026
Date Issued

Kimberly Parish
Vice Chair, Landlord and Tenant Board

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

The Tenant has until April 11, 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 April 11, 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 October 13, 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:		-\$2,400.00
Less the interest owing on the rent deposit	December 1, 2023 to April 1, 2026	-\$136.85
Plus daily compensation owing for each day of occupation starting April 2, 2026		\$85.48 (per day)
Total the Tenant must pay the Landlord:		-\$2,536.85 + \$85.48 per day starting April 2, 2026