



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

File Number: LTB-L-028549-26

In the matter of: 302, 60 YORK ST
WELLAND ON L3B4A8

Between: Niagara Regional Housing Landlord

And

Michael Aubertin Tenant

Niagara Regional Housing (the 'Landlord') applied for an order to terminate the tenancy and evict Michael Aubertin (the 'Tenant') because the Tenant did not meet a condition specified in the order issued by the LTB on January 16, 2026, with respect to application LTB-L-079719-25.

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 specified in the order:

The Tenant shall not engage in the following conduct at the rental unit or residential complex:

- a) *Yelling, swearing, or using threatening language.*
- b) *Being drunk and disorderly in common areas in the complex building and yelling at other tenants from the rental unit's balcony.*
- c) *Banging on the walls and going to other tenants' doors and try to gain entry without permission and banging on their doors.*

On March 26, 2026 at approximately 7:30 pm, the Tenant was heard yelling, screaming and uttering profanities inside the rental unit and on the balcony of the rental unit. It was reported that this continued until approximately 7:48 pm and then started again at 8L40 pm.

On March 29, 2026 at approximately 3:43 pm until 4:24 pm, the Tenant was heard yelling screaming, and uttering profanities inside the rental unit and on the balcony of the rental unit. The yelling and screaming commenced again at 5:47 pm until approximately 6:12 pm inside the rental unit and on the balcony of the rental unit.

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 \$18.28. This amount is calculated as follows: \$556.00 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 18, 2026.
2. If the unit is not vacated on or before April 18, 2026, then starting April 19, 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 19, 2026.
4. The Tenant shall pay to the Landlord \$18.28 per day for compensation for the use of the unit starting April 8, 2026, to the date the Tenant moves out of the unit.
5. If the Tenant does not pay the Landlord the full amount owing on or before April 18, 2026, the Tenant will start to owe interest. This will be a simple interest calculated from April 19, 2026, at 4.00% annually on the balance outstanding.

April 7, 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 17, 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 17, 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 19, 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
Plus, daily compensation owing for each day of occupation starting April 8, 2026		\$18.28 per day
Total the Tenant must pay the Landlord:		\$18.28 per day starting April 8, 2026