



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

File Number: LTB-L-050840-26

In the matter of: 1603, 1360 DANFORTH RD
SCARBOROUGH ON M1J1G4

Between: MetCap Living Management Inc. Landlord

And

Jenny Sarcilla Tenant

MetCap Living Management Inc. (the 'Landlord') applied for an order to terminate the tenancy and evict Jenny Sarcilla (the 'Tenant') and for an order to have the Tenant pay the rent they owe because the Tenant did not meet a condition specified in the order issued by the Landlord and Tenant Board ('LTB') on March 9, 2026 with respect to application LTB-L-102441-25.

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 alleged breach.
2. The Landlord claims in the application that the Tenant breached the prior order LTB-L-102441-25 because the Tenant did not pay the lawful monthly rent in full for June 2026 by June 1, 2026.
3. The prior order LTB-L-102441-25 requires the Tenant to pay \$3,405.72 towards the arrears. In LTB-L-102441-25, the order also notes that the Tenant shall also pay to the Landlord new rent on time and in full as it comes due and owing for the period March 1, 2026 to August 31, 2026 **or until the arrears are paid in full, whichever date is earliest [emphasis mine]**.
4. In the application, the Landlord notes the last payment towards the arrears was made by the Tenant on April 24, 2026 and that the total paid by the Tenant towards the arrears is \$3,405.72. As the Tenant has paid the arrears in full as confirmed by the Landlord, the Tenant has satisfied the additional requirement set out in LTB-L-102441-25 that the ongoing monthly rent must be paid in full and on time for the period March 1, 2026 to August 31, 2026.

5. Therefore, the LTB has no jurisdiction to terminate the tenancy under section 78 of the Act and the Landlord's application must be dismissed.

It is ordered that:

1. The Landlord's application is dismissed.

June 16, 2026
Date Issued

Kimberly Parish
Vice Chair, Landlord and Tenant Board

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

If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.