



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

File Number: LTB-L-054657-26

In the matter of: 602, 120 ELM ST
COLLINGWOOD ON L9Y4E6

Between: Metcap Living Mangement Inc. Landlord

And

Andrew Mcilwrath Tenant

Metcap Living Mangement Inc. (the 'Landlord') applied for an order to terminate the tenancy and evict Andrew Mcilwrath (the 'Tenant') because the Tenant did not meet a condition specified in the order issued by the LTB on May 20, 2026, with respect to application LTB-L-019932-26.

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 condition specified in the order:

The Tenant failed to pay to the Landlord the lawful rent in full on or before June 1, 2026.
3. The Landlord collected a rent deposit of \$1,893.15 from the Tenant and this deposit is still being held by the Landlord.
4. Interest on the rent deposit is owing to the Tenant for the period from May 1, 2026, to June 30, 2026.
5. 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 \$62.24. This amount is calculated as follows: \$1,893.15 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 July 11, 2026.
2. If the unit is not vacated on or before July 11, 2026, then starting July 12, 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 July 12, 2026.
4. The Landlord owes the Tenant \$62.24 per day for compensation for the use of the unit starting July 1, 2026, to the date the Tenant moves out of the unit.

June 30, 2026
Date Issued

Alicia Johnson
Member, Landlord and Tenant Board

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

The Tenant has until July 10, 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 July 10, 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 January 12, 2027, 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.