



## Order under Subsection 74(6) Residential Tenancies Act, 2006

**Citation:** Somerville v Dygos, 2024 ONLTB 28522

**Date:** 2024-04-12

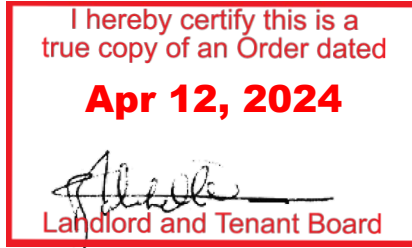
**File Number:** LTB-L-067479-23-VO

**In the matter of:** 1, 92 FOREST  
ST THOMAS ON N5R2J5

**Between:** Clifton Somerville

**And**

Loree and bill Dygos



Landlord

Tenants

On March 15, 2024, the LTB issued order LTB-L-067479-23 terminating the tenancy and evicting Loree and bill Dygos (the 'Tenants') because the Tenant failed to pay rent that the Tenants owe.

On April 12, 2024, the Tenant filed a motion to void order LTB-L-067479-23 because before the eviction order became enforceable, the Tenant paid Clifton Somerville (the 'Landlord') the amount required to void the order under subsection 74(4) of the *Residential Tenancies Act, 2006* (the 'Act').

### Determinations:

1. The Tenant filed a declaration or affidavit stating that the full amount required to void order LTB-L-067479-23 was paid to the Landlord before the eviction order became enforceable.
2. The Tenant total payment to the Landlord is at least \$10,674.00, the amount required to void order LTB-L-067479-23 if the payment was to be made on or before April 14, 2024.

**It is ordered that:**

1. The motion to void order LTB-L-067479-23 is granted.
2. Order LTB-L-067479-23 is void and cannot be enforced by the Landlord.

**April 12, 2024**  
**Date Issued**

  
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Robert Patchett  
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.

The Landlord has until April 22, 2024 to file a motion with the LTB to set aside this order. If the Landlord files the motion by April 22, 2024 the LTB will schedule a hearing.