



**Jan. 15, 2024**

Landlord and Tenant Board

**Order under Section 77(8)  
Residential Tenancies Act, 2006**

**Citation:** Pyzevas v Bishop (tobin), 2024 ONLTB 3480

**Date:** 2024-01-15

**File Number:** LTB-L-078552-23-SA

**In the matter of:** 305, 8250 County Road 17  
Rockland ON K4K1K7

**Between:** Carrie Pyzevas Landlord

**And**

Melissa Bishop (tobin) and Estate of david Tenant  
Tobin

Carrie Pyzevas (the 'Landlord') applied for an order to terminate the tenancy and evict Melissa Bishop (tobin) and Estate of david Tobin (the 'Tenant') and for an order to have the Tenant pay the rent they owe because the Tenant failed to meet a condition specified in the order issued by the Board on September 26, 2023 with respect to application LTB-L-035404-23.

The Landlord's application was resolved by order LTB-L-078552-23, issued on October 25, 2023. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-078552-23.

The motion was heard by videoconference on January 3, 2024. Only the Landlord represented by Laura Groshuk attended the hearing.

As of 10:30am, the Tenant was not present or represented at the hearing although properly served with notice of this hearing by the LTB. There was no record of a request to adjourn the hearing.

**Determinations:**

1. The Tenant made one payment to the Landlord in November 2023 and has made no further payments. The original consent order was entered into with the assistance of a Board Dispute Resolution Officer and the Tenant was assisted by Duty Counsel. The Tenant did not comply with the conditions of the order.
2. The Tenant did not attend this hearing to defend the motion to set aside.
3. After considering all of the circumstances, I find that it would be unfair to set aside order LTB-L-078552-23.

**It is ordered that:**

1. The motion to set aside Order LTB-L-078552-23, issued on October 25, 2023, is denied.
2. The stay of Order LTB-L-078552-23, is lifted immediately.
3. Order LTB-L-078552-23 is unchanged.

**January 15, 2024**



**Date Issued**

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Greg Joy  
Member, 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.