



## Order under Section 78(11) Residential Tenancies Act, 2006

**Citation:** Amiraco Properties Inc v Striker, 2024 ONLTB 5264

**Date:** 2024-03-19

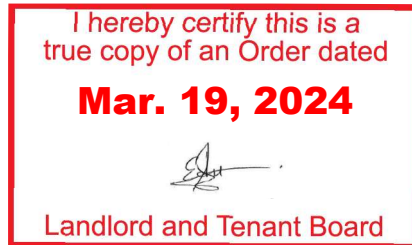
**File Number:** LTB-L-002543-24-SA

**In the matter of:** 306, 8855 WYANDOTTE ST E  
WINDSOR ON N8S1V1

**Between:** Amiraco Properties Inc

**And**

Emma Striker



Landlord

Tenant

Amiraco Properties Inc (the 'Landlord') applied for an order to terminate the tenancy and evict Emma Striker (the 'Tenant') because the Tenant did not meet a condition specified in the order issued by the LTB on November 24, 2023 mediated settlement signed by the parties on November 24, 2023 with respect to application LTB-L-072269-23-SA.

The Landlord's application was resolved by order LTB-L-002543-24, issued on January 24, 2024. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-002543-24.

This motion was heard by videoconference on March 7, 2024. The Landlord's Legal Representative, C. Williams, and the Tenant attended the hearing.

The parties mutually agreed to resolve all matters at issue in the application and requested an order on consent. I was satisfied that the parties understood the consequences of the joint submission.

### On consent of the parties, it is ordered that:

1. The motion to set aside Order LTB-L-002543-24, issued on January 24, 2024, is granted. The order cannot be enforced by the Landlord.
2. The previous order issued on November 24, 2023 is cancelled and replaced with this order.
3. The Landlord's application for eviction of the Tenant is denied on the condition that the Tenant shall pay:
  - a. the rent for March 2024 on or before March 19, 2024, and
  - b. the full monthly rent on or before the first day of each month, commencing April 1, 2024 and for 11 months thereafter up to and including March 1, 2025.

4. If the Tenant fails to comply with the conditions set out in paragraph 3 above, then, within 30 days of the breach, the Landlord may apply under section 78 of the Residential Tenancies Act, 2006 for an order terminating the tenancy and evicting the Tenant. The Landlord must make the application within 30 days of a breach of a condition set out in paragraph 3 of this order.

**March 19, 2024**

**Date Issued**



---

Jitewa Edu

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.