



MAY 15, 2023

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

Citation: Abel Gebreyesus v Joeleen Griffiths, 2023 ONLTB 37409

Date: 2023-05-15

File Number: LTB-L-021402-23-SA

In the matter of: 031, 63 Scarlett Rd.
Toronto ON M6N4K3

Between: Abel Gebreyesus Landlord

And

Joeleen Griffiths Tenant

Abel Gebreyesus (the 'Landlord') applied for an order to terminate the tenancy and evict Joeleen Griffiths (the 'Tenant') because the Tenant failed to meet a condition specified in a consent order issued by the Board on February 8, 2023 with respect to application LTB-L-028216-22.

The Landlord's application was resolved by order LTB-L-021402-23, issued on April 3, 2023. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-021402-23.

The motion was heard by videoconference on May 1, 2023.

The Landlord 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, it is ordered that:

1. The motion to set aside Order LTB-L-021402-23, issued on April 3, 2023, is granted and cannot be enforced.
2. The consent order LTB-L-028216-22 issued February 8, 2023, is cancelled and replaced with the following order:
3. The Tenant shall pay to the Landlord \$9,157.80, which represents the amount of rent owing and compensation up to May 3, 2023
4. The tenancy between the Landlord and the Tenant is terminated. The Tenant must move out of the rental unit on or before May 3, 2023.

5. The Tenant shall also pay the Landlord compensation of \$53.60 per day for the use of the unit starting May 4, 2023 until the date the Tenant moves out of the unit.
6. If the Tenant does not pay the Landlord the full amount owing on or before May 26, 2023, the Tenant will start to owe interest. This will be simple interest calculated from May 27, 2023 at 6.00% annually on the balance outstanding.
7. If the unit is not vacated on or before May 3, 2023, then starting May 4, 2023, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
8. 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 May 4, 2023.

May 15, 2023
Date Issued



Alicia Johnson
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.