



Order under Section 21.2 of the Statutory Powers Procedure Act and the Residential Tenancies Act, 2006

Citation: Ghuman v Thomas, 2023 ONLTB 81994

Date: 2023-12-21

File Number: LTB-L-064378-23-SA-RV

In the matter of: 528 SHIRLEY ST
COBOURG ON K9A2A5

Between: Sarbjot Ghuman

and

Shawn Thomas

I hereby certify this is a
true copy of an Order dated
Dec 21, 2023

Landlord and Tenant Board

Landlord

Tenant

Review Order

Sarbjot Ghuman (the 'Landlord') applied for an order to terminate the tenancy and evict Shawn Thomas (the 'Tenant') because the Tenant entered into an agreement to terminate the tenancy.

The Landlord's application was resolved by order LTB-L-064378-23, issued on August 25, 2023. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-064378-23. The motion was heard on October 10, 2023, and resolved by order LTB-L-064378-23-SA, issued on October 26, 2023.

On November 1, 2023, the Tenant request a review of the order alleging that the order contained a serious error and that a serious error occurred in the proceedings.

On November 3, 2023, interim order LTB-L-064378-23-RV-IN was issued, staying the order issued on October 26, 2023.

The request for review was heard by videoconference on December 13, 2023.

The Landlord's Legal Representatives, Jimmy Gangadi and Sarah Vaz, 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.

Determinations:

The Review Request

1. The Tenant alleged that there was a serious error in the order and that a serious error occurred in the proceedings.
2. The Landlord consented to the Tenant's review request.
3. On the basis of the consent to the review, I granted the Tenant's review request at the hearing on December 13, 2023, and the hearing *de novo* proceeded on the motion to set aside.

The Set Aside Motion

4. At the hearing, the parties agreed that the Landlord will provide the Tenant with a recommendation letter for the Tenant to use for future rental applications.
5. The parties also agreed that the Landlord will pay to the Tenant \$4,000.00, on or before January 3, 2024.

On consent of the parties, it is ordered that:

1. The request to review order LTB-L-064378-23-SA issued on October 26, 2023 is granted.
2. Order LTB-L-064378-23-SA issued on October 26, 2023 is cancelled and replaced with this order.
3. The tenancy between the Landlord and Tenant is terminated. The Tenant must move out of the rental unit on or before February 20, 2024.
4. If the unit is not vacated on or before February 20, 2024, then starting February 21, 2024, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
5. 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 February 21, 2024.

December 21, 2023
Date Issued



Candace Aboussafy
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.

In accordance with section 81 of the Act, the part of this order relating to the eviction expires on July 16, 2024 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.