



**Order under Subsection 74(14)
Residential Tenancies Act, 2006**

Citation: Gambhir v Bunn, 2024 ONLTB 6406

Date: 2024-01-24

File Number: LTB-L-015425-23-VO

In the matter of: 5063 MORRISON ST
NIAGARA FALLS ON L2E2C9

Between: Puneet Gambhir
Manu Chowdhary

And

Patricia Bunn
Meghan Bunn

I hereby certify this is a
true copy of an Order dated
Jan 24 2024
At Machine
Landlord and Tenant Board

Landlord

Tenants

Patricia Bunn and Meghan Bunn (the 'Tenants') filed a motion to set aside order LTB-L-015425-23 because, before the eviction order was enforced, the Tenants paid the amount required under subsection 74(11) of the *Residential Tenancies Act, 2006* (the 'Act') to void the order.

This motion was heard by videoconference on January 9, 2024.

The Landlord and the Tenant, Patricia Bunn attended the hearing.

Determinations:

1. The Tenants have not previously made a motion under subsection 74(11) of the Act to set aside an eviction order during this tenancy.
2. Before the Tenants filed this motion, the Tenants paid a total of \$10,010.00 of which \$2,510.00 was paid to the Landlord and \$7,500.00 was paid to the LTB in trust. The amount paid represents all the rent that is in arrears under the tenancy agreement, all additional rent that would have been due under the tenancy agreement up to November 30, 2023, all NSF and the filing fee for this application. This payment is at least the amount required under subsection 74(11) to void the eviction order.
3. The Landlord paid \$331.00 to the Court Enforcement Office (Sheriff) for the purpose of enforcing the eviction and this amount is non-refundable.
4. On January 12, 2023, the Tenants paid \$331.00 to the LTB in trust for the purpose of reimbursing the Landlord for the enforcement costs the Landlord incurred.
5. The Tenants' motion to void LTB-L-15425-23 is granted.

It is ordered that:

1. Order LTB-L-015425-23 is void and cannot be enforced by the Landlord.
2. The amount of \$7,831.00 paid into the LTB by the Tenant shall be paid out to the Landlord.

January 24, 2024
Date Issued



Sandra Macchione
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.

Notes:

- The Tenant cannot make another motion under subsection 74(11) of the Act to set aside an eviction order during the period of the Tenant's tenancy agreement with the Landlord.
- When the LTB directs payment-out, the Canadian Imperial Bank of Commerce will issue a cheque to the appropriate party(ies) named in this order. The cheque will be in the amount directed plus any interest accrued up to the date of this order.