



Order under Section 16.1 of the Statutory Powers Procedure Act and the Residential Tenancies Act, 2006

Citation: Ferroni v Morton, 2024 ONLTB 7456

Date: 2024-01-26

File Number: LTB-L-065430-23-IN

In the matter of: Basement, 610 CARTIER AVE
OSHAWA ON L1J2C8

Between: Robert Ferroni

And

Donald Morton

I hereby certify this is a
true copy of an Order dated
JAN 26, 2024
Landlord and Tenant Board

Landlord

Tenant

INTERIM ORDER

Robert Ferroni (the 'Landlord') applied for an order to terminate the tenancy and evict Donald Morton (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes. This application was heard by videoconference on January 17, 2024.

The Landlord and the Tenant attended the hearing.

Determinations:


1. At the hearing, the Tenant requested an adjournment to respond to the Landlord's disclosure which was submitted on January 16, 2024.
2. The Tenant also requested additional time to obtain a police report to support issues he intends to raise. The Tenant intends to raise issues under section 82(1) of the *Residential Tenancies Act, 2006* (the 'Act'). These issues were not provided to the Landlord or filed with the Board 7 days in advance of the hearing as required by the Act, however, some of the issues raised would constitute a serious breach of the Landlord's obligations under the Act and would therefore have to be considered under s.83(3).
3. There was not enough time to hear all matters scheduled for the hearing block, so the matter was adjourned for scheduling overflow.
4. The Tenant shall provide the Landlord and the LTB the following information about each issue by March 2, 2024:
 - a. a description of the issue
 - b. the date the issue started
 - c. the date the Tenant told the Landlord about the issue
 - d. whether the issue was resolved

- e. what the Tenant would like the LTB to order for the issue (the remedy requested).
5. The parties shall exchange all documents, pictures and other evidence they intend to rely on at the hearing by the deadlines set out below. The parties shall also provide the LTB a copy of their evidence.
6. The Tenant indicated that they are moving out of the unit but could not confirm a specific date. Based on the submissions of the parties it is likely that the tenancy will be ending soon, so an order for ongoing payment of rent is not required.

It is ordered that:

1. The hearing is adjourned to a date to be scheduled by the LTB.
2. The parties shall provide their unavailable dates for the months of January 2024 to May 2024 to the LTB within 48 hours.
3. The LTB will send the parties a Notice of Hearing for the next hearing date.
4. On or before February 9, 2024 the Landlord shall provide the Tenant and file with the LTB a copy of all documents, pictures and other evidence they intend to rely on at the hearing.
5. On or before March 2, 2024, the Tenant shall provide the Landlord and file with the LTB a written description of each issue they intend to raise under section 82(1) of the Act.
6. On or before March 2, 2024, the Tenant shall provide the Landlord and file with the LTB a copy of all documents, pictures and other evidence they intend to rely on at the hearing.
7. If a party does not comply with the deadlines for disclosure in paragraphs 4 to 6, the Member may refuse to accept the evidence or consider the issues not disclosed.
8. I am not seized.

January 26, 2024
Date Issued


Dawn Carr
Member, Landlord and Tenant Board

15 Grosvenor Street, Ground Floor
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If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.