



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

File Number: TEL-16745-21-SA

In the matter of: 20 DUNSFORD ROAD
DUNSFORD ON K0M1L0

Between: Ainsley Herlihey Landlords
Matt Herlihey

and

Ann Reynolds Tenants
Stephanie Reynolds

Ainsley Herlihey and Matt Herlihey (the 'Landlords') applied for an order to terminate the tenancy and evict Ann Reynolds and Stephanie Reynolds (the 'Tenants') because the Tenants failed to meet a condition specified in the mediated settlement issued by the Board on March 31, 2021 with respect to application TEL-15138-21.

The Landlords' application was resolved by order TEL-16745-21, issued on May 13, 2021. The Tenants filed a motion to set aside order TEL-16745-21.

This motion was heard in Passcode: 667 1872 1064# on July 22, 2021. The Landlord's representative by Cindy Coulter, and the Tenant Anne Reynolds represented by Donna Wood, attended the hearing.

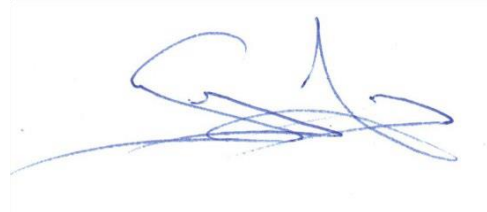
Determinations:

1. The Tenants failed to comply with the terms of the mediated settlement including failing to make the payments as required and failing to vacate the rental unit on or before May 1, 2021.
2. The Tenants have failed to pay the Landlords an additional \$1,300.00 since the L4 application was filed with the Board.
3. The Landlords have a demolition permit which needs to be fulfilled before it expires.
4. The Tenants moved into the rental unit in November 2019. The Tenants paid a first and last month rent deposit. In the ten months after the first month in the rental unit the Tenants paid the Landlords just over two months rent before the Landlords filed an application which gave rise to the mediated settlement.

5. Considering all the above circumstances, I find it would be unfair to grant the Tenants motion. Despite this I find it would be fair to delay the lifting of the stay until August 31, 2021 to provide the Tenants with the time to relocate.

It is ordered that:

1. The motion to set aside Order TEL-16745-21, issued on May 13, 2021, is denied.
2. The stay of order TEL-16745-21 is lifted on August 31, 2021.



Greg Joy
Member, Landlord and Tenant Board

July 28, 2021
Date Issued

Toronto East-RO
2275 Midland Avenue, Unit 2
Toronto ON M1P3E7

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