



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

Citation: Greenwin Corp v Hamza, 2024 ONLTB 21709

Date: 2024-04-01 **File Number:**
LTB-L-098612-23-SA

In the matter of: 206, 2450 WESTON RD
NORTH YORK ON M9N2A3

Between: Greenwin Corp Landlord

And

Muhammad Hamza Tenants
Muhammad Suhail

Greenwin Corp (the 'Landlord') applied for an order to terminate the tenancy and evict Muhammad Hamza and Muhammad Suhail (the 'Tenants') and for an order to have the Tenants pay the rent they owe because the Tenants did not meet a condition specified in the order issued by the LTB on December 5, 2023 with respect to application LTB-L-026434-23.

The Landlord's application was resolved by order LTB-L-098612-23, issued on January 12, 2024. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-098612-23.

This motion was heard by videoconference on March 19, 2024. The Landlord's representative Matt Anderson, and the Tenant Muhammed Suhail, attended the hearing.

The parties agree the Tenants owe the Landlord \$6,627.43 in arrears and costs to the end of March 2024.

At the hearing the parties consented to the following order.

The Landlord and the Tenant attended the hearing.

It is ordered that:

1. The motion to set aside Order LTB-L-098612-23, issued on January 12, 2024, is granted.

2. Order LTB-L-098612-23, issued on January 12, 2024, is set aside and cannot be enforced.
3. Order LTB-L-026434-23 is cancelled and replaced with the following:
4. The Tenants shall pay to the Landlord \$6,627.43 as follows:

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- The Tenants shall pay to the Landlord \$1,000.00 on or before the 15th day of each consecutive month commencing April 2024 and continuing through September 2024.
 - The Tenants shall pay to the Landlord \$627.43 on or before October 15, 2024.
5. The Tenants shall pay to the Landlord April rent on or before April 8, 2024.
 6. The Tenants shall also pay to the Landlord the lawful rent in full and on time for each consecutive month commencing May 2024 and continuing through October 2024, or until the arrears and costs are paid in full.
 7. In the event the Tenants fail to make the above said payments in full and on time, the entire balance of the amount set out in this Order will become due and payable forthwith under this Order. The Landlord shall be entitled to apply to the Board, no later than 30 days after a breach of this Order, without notice to the Tenants, for an Order terminating the tenancy and evicting the Tenants and for any arrears that become due after the date of this order, pursuant to Section 78 of the Residential Tenancies Act, 2006.

April 2, 2024

Date Issued

Greg Joy

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.

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