



Order under Section 78(6) Residential Tenancies Act, 2006

Citation: Joseph Harrison v Skye Thomas, 2023 ONLTB 42085

Date: 2023-06-07

File Number: LTB-L-003586-23

In the matter of: 157, 1915 DENMAR RD
PICKERING ON L1V3E1

Between: Joseph Harrison Landlord

And

Carole Thomas and Skye Thomas Tenant

Joseph Harrison (the 'Landlord') applied for an order to terminate the tenancy and evict Carole Thomas and Skye Thomas (the 'Tenant') and for an order to have the Tenant pay the rent they owe because the Tenant did not meet a condition specified in the order issued by the LTB on September 20, 2022, with respect to application LTB-L-003559-23.

This application was heard by videoconference on April 11, 2023. The Landlord

Determinations:

1. The order provides that the Landlord can apply to the LTB under section 78 of the *Residential Tenancies Act, 2006* (the 'Act') without notice to the Tenant to terminate the tenancy and evict the Tenant if the Tenant does not meet certain condition(s) in the order. This application was filed within 30 days of the breach.
2. I find that the Tenant has not met the following condition specified in the order:
 - The Tenant failed to pay rent for December 01, 2023, on time and in full
3. The previous application includes a request for an order for the payment of arrears of rent and the order requires the Tenant to make payments by specific due dates. Accordingly, in addition to eviction, the Landlord is entitled to request an order for the payment of arrears owing.
4. The Tenant was required to pay \$2,546.55 for rent arrears and the application filing fee in the previous order. The amount that is still owing from that order is \$1,046.55 and that amount is included in this order. **This order replaces order LTB-L-003559-23.**
5. The Tenants vacated the rental unit March 01, 2023. The Rent arrears owing to March 01, 2023, are \$4543.08. The Landlord is entitled to recover that amount.

It is ordered that:

- 1. Order LTB-L-003559-23 is cancelled.**
2. The Tenants shall pay to the Landlord \$4,543.08 This amount represents the rent owing up to March 01, 2023, the date the Tenants vacated the rental unit.
3. If the Tenant does not pay the Landlord the full amount owing on or before June 18, 2023, the Tenant will start to owe interest. This will be a simple interest calculated from June 19, 2023, at 6.00% annually on the balance outstanding.

June 7, 2023
Date Issued

Bryan Delorenzi
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.