



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

Citation: Toronto Community Housing Corporation v Diana Lynne Murphy, 2023 ONLTB 36390

Date: 2023-05-12

File Number: LTB-L-008400-23-SA

In the matter of: 802, 3947 Lawrence Ave East Toronto
ON M1G1S1

Between: Toronto Community Housing Corporation Landlord

And

Diana Lynne Murphy and Peter Guthro Tenants

Toronto Community Housing Corporation (the 'Landlord') applied for an order to terminate the tenancy and evict Diana Lynne Murphy and Peter Guthro (the 'Tenants') because the Tenants did not meet a condition specified in the order issued by the LTB on October 26, 2022 with respect to application TEL-21928-22-SA.

The Landlord's application was resolved by order LTB-L-008400-23, issued on October 26, 2022. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-008400-23.

The motion was heard by videoconference on May 1, 2023. The Landlord's representative Dale Maingot, and the Tenants, represented by Christopher Lin, attended the hearing.

At the hearing the parties consented to the following order.

The parties agree the Tenants owe the Landlord \$17,921.00 in arrears and costs to the end of May 2023.

It is ordered that:

1. The motion to set aside Order LTB-L-008400-23, issued on October 26, 2022, is granted.
2. Order LTB-L-008400-23, issued on October 26, 2022, is set aside and cannot be enforced.
3. Order TEL-21928-22-SA is cancelled and replaced with the following:
4. The Tenants shall pay to the Landlord \$17,921.00 plus rent as it becomes due as follows:

- The Tenants shall pay to the Landlord May rent on May 1, 2023.

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- The Tenants shall pay to the Landlord \$160.10 on or before May 5, 2023.
- The Tenants shall pay to the Landlord \$6,200.00 on or before May 25, 2023.
- The Tenants shall pay to the Landlord the lawful rent plus \$160.10 on or before the 1st day of each consecutive month commencing June 2023 and continuing through October 2025.
- The Tenants shall pay to the Landlord the balance of \$200.00 on or before October 25, 2025.

5. In the event the Tenants fail to make the above said payment 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.

May 12, 2023

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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