



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

**Citation:** Halton Community Housing Corp v Nyarko, 2023 ONLTB 36399

**Date:** 2023-05-11 **File Number:**  
LTB-L-003638-23-SA

**In the matter of:** 260 BURLOAK DRIVE  
BURLINGTON ON L7L4W5

**Between:** Halton Community Housing Corp Landlord

**And**

Perpetual Nyarko Tenant

Halton Community Housing Corp (the 'Landlord') applied for an order to terminate the tenancy and evict Perpetual Nyarko (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 June 22, 2021 with respect to application SOL-19490-21.

The Landlord's application was resolved by order LTB-L-003638-23, issued on June 22, 2021. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-003638-23.

The motion was heard by videoconference on May 1, 2023. The Landlord's representative Peter Vansickle, and the Tenant, attended the hearing.

At the hearing the parties consented to the following order.

The parties agree the Tenant owes the Landlord \$29,291.00 in arrears and costs to the end of May 2023.

**It is ordered that:**

1. The motion to set aside Order LTB-L-003638-23, issued on June 22, 2021, is granted.
2. Order LTB-L-003638-23, issued on June 22, 2021, is set aside and cannot be enforced.
3. Order SOL-19490-21 is cancelled and replaced with the following:
4. The Tenant shall pay to the Landlord \$29,291.00 as follows:

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- The Tenant shall pay to the Landlord \$200.00 on or before the 20<sup>th</sup> day of each consecutive month commencing May 2023 and continuing until the entire balance is paid in full.
- 5. The Tenant shall also pay to the Landlord the lawful rent in full and on time for each consecutive month commencing May 2023 and continuing until the balance of arrears and costs in paragraph 5 are paid in full.
- 6. In the event the Tenant fails 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 Tenant, for an Order terminating the tenancy and evicting the Tenant and for any arrears that become due after the date of this order, pursuant to Section 78 of the Residential Tenancies Act, 2006.

**May 11, 2023**

**Date Issued**

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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.

