



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

Citation: Capreit Limited Partnership v Coombs, 2023 ONLTB 34854

Date: 2023-05-10

File Number: LTB-L-024875-23-SA

In the matter of: 306, 759 SECOND ST
LONDON ON N5V2B8

Between: Capreit Limited Partnership Landlord

And

Leona Coombs Tenant

Capreit Limited Partnership (the 'Landlord') applied for an order to terminate the tenancy and evict Leona Coombs (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 March 15, 2023 with respect to application ltb-l-017887-22.

This application was heard on April 26, 2023. The Landlord's representative Ayden Pearson, and the Tenant, attended the hearing.

Determinations:

1. The original order determined the Tenant owed the Landlord \$6,369.92 in October 2022. The Tenant was to pay rent in full and on time plus \$500.00 monthly on or before the 20th of each month. At this hearing the Tenant now owes the Landlord \$3,350.44.
2. Considering the fact that the Tenant is making progress to paying the arrears, I find it appropriate to grant relief under section 74 of the Residential Tenancies Act. The Landlord's representative did not oppose the proposed relief as ordered below.

It is ordered that:

1. Order LTB-L-024875-23 is set aside.
2. Order LTB-L-017887-22 is cancelled and replaced with the following:
3. The Tenant shall pay to the Landlord \$3,350.44 as follows:
 - The Tenant shall pay to the Landlord \$500.00 on or before the 20th day of each consecutive month commencing May 2023 and continuing through October 2023.
 - The Tenant shall pay to the Landlord \$350.44 on or before November 2023.

4. 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 through November 2023.
5. 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 10, 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.