



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

Citation: The Effort Trust Company v Morgan, 2023 ONLTB 34446

Date: 2023-05-02

File Number: LTB-L-006104-23

In the matter of: 1208-21 Ben Lomond Place
Hamilton, ON L8V 2T1

Between: The Effort Trust Company Landlord

And

Vincent Morgan Tenant

On January 18, 2023, The Effort Trust Company (the 'Landlord') applied for an order to terminate the tenancy and evict Vincent Morgan (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-012951-22.

On March 27, 2023, the Landlord's application was directed to a hearing.

The application was heard by videoconference on April 17, 2023.

The Landlord's Legal Representative Kimberly Holleran and the Tenant attended the hearing. The Tenant met with Tenant Duty Counsel prior to the hearing.

At the hearing, the parties consented to the following order.

It is ordered that:

1. LTB-L-012951-22, issued on September 20, 2023, is cancelled and replaced by the following:
2. The Tenant shall pay to the Landlord \$4,795.00 for arrears of rent up to April 30, 2023, and costs.
3. The Tenant shall pay to the Landlord the amount set out in paragraph 2 in accordance with the following schedule:

- a) \$400.00 to be paid on or before the 1st of each month, starting May 1, 2023, until March 1, 2024.
- b) \$395.00 to be paid on or before April 1, 2024.

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- 4. The Tenant shall also pay to the Landlord new rent on time and in full as it comes due and owing for May 1, 2023, until April 1, 2024, or until the arrears are paid in full, whichever date is earliest.
- 5. If the Tenant fails to make any one of the payments in accordance with this order, the outstanding balance of any arrears of rent and costs to be paid by the Tenant to the Landlord pursuant to paragraph 1 of this order shall become immediately due and owing and the Landlord may, without notice to the Tenant, apply to the LTB within 30 days of the Tenant's breach pursuant to section 78 of the Act for an order terminating the tenancy and evicting the Tenant and requiring that the Tenant pay any new arrears, NSF fees and related charges that became owing after April 30, 2023.

May 2, 2023

Date Issued

Jagger Benham

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.

