



Order under Section 16.1 of the Statutory Powers Procedure Act and the Residential Tenancies Act, 2006

Citation: Peters v Michael Ferguson, 2023 ONLTB 32882

Date: 2023-04-28

File Number: LTB-L-057199-22

In the matter of: 67 LASALLE AVE
OSHAWA ON L1H5Y3

Between: Mohammad Zaman and Roy Peters Landlords

And

Chantel Yellowhead and Michael Ferguson Tenants

INTERIM ORDER

Mohammad Zaman and Roy Peters (the 'Landlords') applied for an order to terminate the tenancy and evict Chantel Yellowhead and Michael Ferguson (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was heard by videoconference on April 13, 2023.

The Landlords, the Landlord's representatives K Chowdhury and A Datti and the Tenant M Ferguson attended the hearing.

Determinations:

1. There was insufficient time remaining in the hearing block to hear this matter.
2. It was uncontested that the Tenants have not paid rent since the date the application was filed.
3. The Landlords' representative A Datti requested that the Tenants be ordered to pay rent to the Landlords to mitigate the prejudice to the Landlords due to the adjournment.
4. The Tenants are intending to raise section 82 issues at the next hearing date.
5. I am not seized of this matter.

It is ordered that:

1. Parties shall provide the Board with any dates they are unavailable no later than 48 hours after the date of this order.

2. The Tenants shall pay to the Landlord the lawful monthly rent (\$2,600.00) in full and on or before the first day of the month, commencing May 1, 2023, until the present application is fully resolved. If the Tenants do not comply, the Landlords may submit a Request to

Order Page: 1 of 2

File Number: LTB-L-057199-22

Shorten Time, and the Board may refuse to consider the Tenants' evidence and submissions. The Landlords shall attach this Interim Order to the Request to Shorten Time.

3. On or before May 19, 2023 the Tenants shall provide to the Landlords and the Board:
 - a) a detailed list of the section 82 issues that the Tenants intend to raise at the next hearing. The list should include: (i) a description of each issue; (ii) when the issue started; (iii) when the Landlords were informed about the issue; (iv) whether the issue is now resolved; and (v) what the Tenants would like the Board to order for each issue. The Tenants may use the *Issues a Tenant Intends to Raise at a Rent Arrears Hearing* form available on the Board's website for this purpose, but use of the form is not required. If the Tenants do not comply, the Board may refuse to consider the Tenants' section 82 issues; and
 - b) a copy of all documents, photographs and other evidence if not already disclosed. If the Tenants do not comply, the Board may refuse to consider the Tenants' evidence at the next hearing.
4. On or before May 31, 2023, the Landlords shall provide to the Tenants and the Board a copy of all documents, photographs and other evidence not already disclosed, including evidence to respond to the Tenants' section 82 issues. If the Landlords do not comply, the Board may refuse to consider the Landlords' evidence at the next hearing.
5. Any documents, receipts, photographs, recordings or like things the parties intend to rely on at the hearing shall be provided to the Board at the Board's email address for this purpose at LTB-Evidence@ontario.ca. Ensure all documents, receipts, photographs, recordings or like things are labeled for ease of reference at the hearing. The email header should specify "LTB-L-057199-22".

April 28, 2023

Date Issued

Heather Kenny

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.