



**Order under Subsection 74(14)
Residential Tenancies Act, 2006**

Citation: Medallion Corporation v McIntosh, 2023 ONLTB 29441

Date: 2023-04-06

File Number: LTB-L-046728-22-VO

In the matter of: 311, 6 Vena Way
Toronto Ontario M9M0G2

Between: Medallion Corporation Landlord

And

Nicole Rose Marie McIntosh Tenant

2023 ONLTB 29441 (CanLII)

Nicole Rose Marie McIntosh (the 'Tenant') filed a motion to set aside order LTB-L-046728-22 because, before the eviction order was enforced, the Tenant paid the amount required under subsection 74(11) of the *Residential Tenancies Act, 2006* (the 'Act') to void the order.

This motion was heard by videoconference on March 23, 2023. The Landlord's legal representative, S. Korman, and the Tenant attended the hearing.

Determinations:

1. The Tenant has not previously made a motion under subsection 74(11) of the Act to set aside an eviction order during this tenancy.
2. Before the Tenant filed this motion, the Tenant paid a total of \$8,965.71 to the Landlord. The amount paid represents all the rent that is in arrears under the tenancy agreement, all additional rent that would have been due under the tenancy agreement up to March 31, 2023, all NSF and related administration fees the Landlord incurred and the filing fee for this application. This payment is at least the amount required under subsection 74(11) to void the eviction order.
3. The Landlord did not pay an amount to the Court Enforcement Office (Sheriff) for the purpose of enforcing the eviction.

It is ordered that:

1. Order LTB-L-046728-22 is void and cannot be enforced by the Landlord.

April 6, 2023

Date Issued

Camille Tancioco
Member, Landlord and Tenant Board

If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.

Notes:

- The Tenant cannot make another motion under subsection 74(11) of the Act to set aside an eviction order during the period of the Tenant's tenancy agreement with the Landlord.
- When the LTB directs payment-out, the Canadian Imperial Bank of Commerce will issue a cheque to the appropriate party(ies) named in this order. The cheque will be in the amount directed plus any interest accrued up to the date of this order.