



**Order under Section 78(11)
Residential Tenancies Act, 2006**

Citation: Gilbert v Ah-Hone, 2023 ONLTB 26020

Date: 2023-03-20 **File Number:**
LTB-L-078572-22-SA

In the matter of: 432 Park Street
Durham, ON N0G 1R0

Between: Carl Gilbert Landlord

And

Laura Ah-Hone Tenants
Michael Courts

Carl Gilbert (the 'Landlord') applied for an order to terminate the tenancy and evict the Laura AhHone and Michael Courts (the 'Tenants') and for an order to have the Tenant pay the rent they owe because the Tenants did not meet a condition specified in the order issued by the LTB on August 3, 2022 with respect to application LTB-L-007146-22.

The Landlord's application was resolved by order LTB-L-078572-22, issued on February 10, 2023.

The Tenants filed a motion to set aside order LTB-L-078572-22.

The motion was heard by videoconference on March 8, 2023.

The Landlord and the Tenant Michael Courts attended at the hearing.

At the hearing, the parties agreed to the following order:

It is ordered that:

1. Order LTB-L-078572-22 issued on February 10, 2023 is set aside.
2. Order LTB-007146-22 issued on August 3, 2022 is cancelled and replaced with the following order.

3. The Tenants shall pay to the Landlord \$13,571.54 for arrears of rent up to March 31, 2023, and costs.
4. The Tenants shall pay to the Landlord the amount set out in paragraph 3 in accordance with the following schedule:

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- a) The Tenants shall pay the Landlord \$250.00 per month on or before the 20th of each month, starting April 20, 2023, until September 20, 2027.
 - b) A final payment of \$71.54 to be paid on or before October 20, 2027.
5. The Tenants shall also pay to the Landlord new rent on time and in full as it comes due and owing for the period starting April 1, 2023, to October 1, 2027, or until the arrears are paid in full, whichever date is earliest.
 6. If the Tenants fail 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 Tenants to the Landlord pursuant to paragraph 1 of this order shall become immediately due and owing and the Landlord may, without notice to the Tenants, apply to the LTB within 30 days of the Tenants' breach pursuant to section 78 of the Act for an order terminating the tenancy and evicting the Tenants and requiring that the Tenants pay any new arrears, NSF fees and related charges that became owing after March 31, 2023.

March 20, 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.

