



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

Citation: Veldale Farms Ltd. v Perry, 2023 ONLTB 14260

Date: 2023-02-24

File Number: LTB-L-071080-22-SA

In the matter of: 1, 429 Sixth Concession Road
Burford Ontario N0E1A0

Between: Evert Veldhuizen Landlords
Veldale Farms Ltd.

And

Barb Griffin Tenants
Bill Perry
Destiny Perry
Jacob Perry

Evert Veldhuizen and Veldale Farms Ltd. (the 'Landlords') applied for an order to terminate the tenancy and evict Barb Griffin, Bill Perry, Destiny Perry and Jacob Perry (the 'Tenants'). and for an order to have the Tenants pay the rent and compensation the Tenants owe because the Tenants failed to meet a condition specified in the Board's order on July 29, 2022 with respect to application LTB-L-025413-22.

The Landlords' application was resolved by order LTB-L-071080-22, issued on January 12, 2023. This order was issued without a hearing being held.

The Tenants filed a motion to set aside order LTB-L-071080-22.

The motion was heard by videoconference on February 14, 2023.

The Landlords' Representative, Dylan Harvey and the Tenant, Bill Perry attended the hearing. The Tenant spoke to Tenants Duty Counsel before the hearing.

Determinations:

1. After considering all of the circumstances, I find that it would be unfair to set aside order LTB-L-071080-22.
2. The Tenants have had an opportunity to preserve the tenancy by way of consent order issued on July 29, 2022. Since the agreement, there's no dispute the Tenants' last payments towards the arrears and the additional rent charges that came due was on July 14, 2022. The Tenants have subsequently failed to meet all other conditions of the consent order and have demonstrated no good faith to comply with the payment plan. The arrears

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have increased significantly since June 30, 2022 and I'm not satisfied this tenancy can be preserved with another payment plan.

It is ordered that:

1. The motion to set aside Order LTB-L-071080-22, issued on January 12, 2022 is denied.
2. The stay of Order LTB-L-071080-22, is lifted immediately.

February 24, 2023

Date Issued

Sandra Macchione

Member, Landlords and Tenants 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.