



Order under Section 21.2 of the Statutory Powers Procedure Act and the Residential Tenancies Act, 2006

Citation: 5019063 Ontario Inc. v Adubofuor, 2023 ONLTB 16174

Date: 2023-01-19 **File Number:**
LTB-L-014898-22-RV

In the matter of: 2, 91 STEPHEN ST
KINGSTON ON K7K2C5

Between: Landlord

And

Emily Sutherland\n Joseph Adubofuor Tenant

Review Order

5019063 Ontario Inc. (the 'Landlord') applied for an order to terminate the tenancy and evict Emily Sutherland and Joseph Adubofuor (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was resolved by order LTB-L-014898-22 issued on October 6, 2022.

On November 15, 2022, the Tenant Joseph Adubofuor requested an extension of time to file a request to review the order, a request to review the order and that the order be stayed until the request to review the order is resolved.

On November 16, 2022, the Board issued an Endorsement denying the Tenant's request to extend time to file the request to review.

On November 25, 2022, the Tenant filed a request to review the Board's Endorsement to deny the Tenant's request to extend time to file his request to review.

On November 25, 2022, order LTB-L-014898-22-RV-IN was issued, staying the order issued on October 6, 2022.

The Tenant's request to review was heard by videoconference on January 18, 2023.

The Landlord's legal representative, Allison MacSporran, the Tenant Joseph Adubofuor, and the Tenant's legal representative, William Florence, attended the hearing. The Tenant Joseph Adubofuor will be referred to as the Tenant singular in the order below.



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Determinations:

1. At the hearing the Landlord consented to the Tenant's request to review the Endorsement issued on November 16, 2022. The Endorsement will be cancelled.
2. The Landlord also consented to the Tenant's request to review order LTB-L-014898-22 issued on October 6, 2022.
3. The parties further agreed to cancel order LTB-L-014898-22 issued on October 6, 2022, 2022 and replace it with the order below. As such, the Tenant's request to review will be granted.
4. The parties further agreed to replace order LTB-L-014898-22 issued on October 6, 2022 with consent order below.

It is ordered that:

1. The request to review the Board's Endorsement issued on November 16, 2022 is granted. The Endorsement is cancelled.
2. The Tenant's request to review order LTB-L-014898-22 issued on October 6, 2022 is granted. The order is cancelled and replaced with the order on consent as set out below.
3. The tenancy between the Landlord and the Tenants is terminated effective November 23, 2022.
4. The Tenant shall pay the Landlord \$8,613.24, which represents the total amount the Tenant owes the Landlord. The Tenant shall pay this amount to the Landlord on or before February 19, 2023. If the Tenant does not pay the Landlord the full amount owing on or before February 19, 2023, the Tenant will start to owe interest. This will be simple interest calculated from February 20, 2023, at 5.00% annually on the balance outstanding.
5. The Landlord shall maintain the Tenant's belongings in the rental unit and allow the Tenant reasonable access to retrieve his belongings from the rental unit until February 18, 2023. As of February 19, 2023, any items remaining in the rental unit shall be deemed abandoned.
6. This order finally resolves all matters of the tenancy between the Landlord and the Tenant up to the date of the hearing.



January 19, 2023

Date Issued

Jana Rozehnal

Member, Landlord and Tenant Board

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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.



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2023 ONL TB 16174 (CanLI)