



**Order under Section 77(8)
Residential Tenancies Act, 2006**

Citation: ONTARIO PROPERTIES LP v TAN, 2023 ONLTB 14321

Date: 2023-01-11

File Number: LTB-L-071125-22-SA

In the matter of: 605, 285 ERB STREET WEST
WATERLOO ONTARIO N2L1W5

Between: GALAXY REAL ESTATE CORE ONTARIO Landlord
PROPERTIES LP

And

ALICE AKA ALYUN TAN Tenant

GALAXY REAL ESTATE CORE ONTARIO PROPERTIES LP (the 'Landlord') applied for an order to terminate the tenancy and evict ALICE AKA ALYUN TAN (the 'Tenant') because the Tenant gave notice to terminate the tenancy.

The Landlord's application was resolved by order LTB-L-071125-22, issued on December 2, 2022. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-071125-22.

The motion was heard on January 4, 2023. The Landlord's representative Sean Beard, and Sufia Taha, attended the hearing.

Determinations:

1. The Tenant gave the Landlord notice to terminate the tenancy effective October 31, 2022.
2. The Tenant rented a room in the rental unit to Sufia Taha. Mr. Taha paid the Tenant \$700.00 monthly to live in the unit. There was no agreement with the Landlord for Mr. Taha to reside in the unit. The Tenant had not requested consent from the Landlord to sublet or assign the unit.
3. The Tenant has vacated the rental unit and no rent has been paid the Landlord the Landlord since rent was paid in September 2022.
4. I find Sufia is not a tenant and therefore cannot file a set aside motion.

It is ordered that:

1. The motion to set aside Order LTB-L-071125-22, issued on December 2, 2022, is denied.
2. The stay of Order LTB-L-071125-22, is lifted immediately.

3. Order LTB-L-071125-22 is unchanged.

January 11, 2023

Date Issued

Greg Joy
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.