



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

Citation: OPALKO v VO, 2023 ONLTB 13949

Date: 2023-01-10

File Number: LTB-L-052354-22-SA

In the matter of: 25 THRONRIDGE CRES
KITCHENER ON N2M4V9

Between: ANDRII OPALKO Landlord

And

MIHN VO Tenant

ANDRII OPALKO (the 'Landlord') applied for an order to terminate the tenancy and evict MIHN VO (the 'Tenant') because the Tenant entered into an agreement to terminate the tenancy.

The Landlord's application was resolved by order LTB-L-052354-22, issued on November 4, 2022. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-052354-22.

The motion was heard by videoconference on December 22, 2022.

At the start of the hearing, neither the Tenant nor the Landlord were present. Around 2:30 pm, the Tenant joined the hearing. I advised him to remain present and his matter would be heard in due course. At the end of the hearing block, the Tenant was no longer present to defend his motion.

Determinations:

1. Since the Tenant did not appear at the hearing to support this motion, I find this motion has been abandoned.

It is ordered that:

1. The Tenant's motion to set aside Order LTB-L-052354-22, issued on December 5, 2022 is denied.
2. The stay of Order LTB-L-052354-22, is lifted immediately.

January 10, 2023

Date Issued

Dana Wren

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.

2023 ONLTB 13949 (CanLII)