



**Order under Subsection 74(14)
Residential Tenancies Act, 2006**

Citation: Hastings Local Housing Corp. v Leveque, 2023 ONLTB 13838

Date: 2023-01-03

File Number: LTB-L-013296-22-VO

In the matter of: P.O. BOX 908, 53 GREEN ST
DESERONTO ON K0K1X0

Between: Hastings Local Housing Corp.

Landlord

And

Larry Leveque
Patricia Leveque

Tenants

2023 ONLTB 13838 (CanLII)

Larry Leveque and Patricia Leveque (the 'Tenant') filed a motion to set aside order LTB-L-013296-22 because, before the eviction order was enforced, the Tenant paid the amount required under subsection 74(11) of the *Residential Tenancies Act, 2006* (the 'Act') to void the order.

This motion was heard by videoconference on December 19, 2022.

The Landlord's Agent, Carrie Lough, and the Tenants attended the hearing.

Determinations:

1. The Tenants have not previously made a motion under subsection 74(11) of the Act to set aside an eviction order during this tenancy.
2. Before the Tenants filed this motion, the Tenants paid a total of \$801.00 to the Landlord and Tenant Board. The amount paid represents all the rent that is in arrears under the tenancy agreement, all additional rent that would have been due under the tenancy agreement up to November 30, 2022, all NSF and related administration fees the Landlord incurred and the filing fee for this application. This payment is at least the amount required under subsection 74(11) to void the eviction order.
3. The Landlord paid \$353.40 to the Court Enforcement Office (Sheriff) for the purpose of enforcing the eviction and this amount is non-refundable.
4. The Tenants have reimbursed the Landlord for the enforcement costs the Landlord incurred.

It is ordered that:

1. Order LTB-L-013296-22 is void and cannot be enforced by the Landlord.

January 3, 2023
Date Issued

Susan Priest
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.

Notes:

- The Tenant cannot make another motion under subsection 74(11) of the Act to set aside an eviction order during the period of the Tenant's tenancy agreement with the Landlord.
- When the LTB directs payment-out, the Canadian Imperial Bank of Commerce will issue a cheque to the appropriate party named in this order. The cheque will be in the amount directed plus any interest accrued up to the date of this order.