



Order under Section 69 Residential Tenancies Act, 2006

Citation: Gibson v Gibson, 2022 ONLTB 11543

Date: 2022-11-11

File Number: LTB-L-008880-22-IN

In the matter of: 81 DYER DR
WASAGA BEACH ON L9Z1E4

Between: Susan Gibson Landlord

and

Christine Billy Jo Gibson Tenant

Susan Gibson (the 'Landlord') applied for an order to terminate the tenancy and evict Christine Billy Jo Gibson (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

The Landlord also applied for an order to terminate the tenancy and evict the Tenant because:

- the behavior of the Tenant or the behavior of someone visiting or living with the Tenant has substantially interfered with another tenant's or the Landlord's:
 - reasonable enjoyment of the residential complex, and/or
 - lawful rights, privileges, or interests

This application was heard by videoconference on November 2, 2022.

The Landlord attended the hearing and was represented by Ciara Mcmillen. The Tenant attended the hearing and was self-represented.

Determinations:

1. The application was adjourned for the Tenant to retain a legal representative.
2. The parties do not dispute that there are rent arrears but dispute the amount of what the actual lawful monthly rent is. The Landlord asserts that the lawful month rent is \$1,600.00 and the Tenant states the lawful monthly rent is \$1,100.00.

It is ordered that:

1. The hearing is adjourned peremptory on the Tenant at a date to be scheduled by the Board.
2. The Tenant shall pay to the Landlord \$1,100.00 representing the monthly rent, on or before the first of each month beginning on December 1, 2022 and shall continue to do so until these applications have been heard and a final order rendered by the Board on each

application. The monies paid will be accounted for when the final order is rendered by the Board.

3. If the Tenant fails to make any one of the payments in accordance with this order, the Landlord may request that the L1 and L2 applications are rescheduled as soon as possible.
4. By no later than December 16, 2022, the Tenant and Landlord shall serve on the other party, and file with the Board via email a copy of any recording, document, receipts, photograph or like thing they intend to rely on at the hearing.
5. Pursuant to Rule 19.7 of the Board's Rules of Procedure a party who fails to comply with an order for disclosure may not be permitted to rely on evidence that is not disclosed as ordered.

November 18, 2022

Date Issued

Emile Ramlochan

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.