



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

**Citation:** Oxford Properties Group v Qayyum, 2022 ONLTB 9679

**Date:** 2022-10-26

**File Number:** LTB-L-002565-21-VO

**In the matter of:** 1803, 430 MCMURCHY AVE S  
BRAMPTON ON L6Y2N4

**Between:** Oxford Properties Group

Landlord

**And**

Arsalan Qayyum

Tenant

2022 ONLTB 9679 (CanLII)

**This order was originally dated for October 26, 2022. The order was not sent to the parties and as a result the order has been dated for December 14, 2022 as the new mailing date.**

Arsalan Qayyum (the 'Tenant') filed a motion to set aside order LTB-L-002565-21 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 on October 19, 2022. The Landlord's representative, Martin Zarnett, and the Tenant, attended the hearing.

**Determinations:**

1. The Tenant has not previously made a motion under subsection 74(11) of the Act to set aside an eviction order during this tenancy.
2. Before the Tenant filed this motion, the Tenant paid a total of \$11,185.00 to the LTB. 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 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.

**It is ordered that:**

1. Order LTB-L-002565-21 is void and cannot be enforced by the Landlord.
2. An employee of the LTB will issue a notice acknowledging that the eviction order related to arrears is void.
3. The amount of \$11,185.00 paid into the LTB by the Tenant shall be paid out to the Landlord.

**December 14, 2022**

**Date Issued**

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Greg Joy  
Member, Landlord and Tenant Board

15 Grosvenor Street, Ground Floor  
Toronto ON M7A 2G6

2022 ONLTB 9679 (CanLII)

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(ies) named in this order. The cheque will be in the amount directed plus any interest accrued up to the date of this order.