



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

**Citation:** Homestead Land Holdings Limited v Mancebo Munoz, 2022 ONLTB 9740

**Date:** 2022-10-25

**File Number:** LTB-L-000774-21-VO

**In the matter of:** 1002, 110 ERSKINE AVE  
TORONTO ON M4P1Y4

**Between:** Homestead Land Holdings Limited Landlord

**And**

Esther Del Carmen Mancebo Munoz, Karelia Mancebo-Munoz Tenants

2022 ONLTB 9740 (CanLII)

Esther Del Carmen Mancebo Munoz, Karelia Mancebo-Munoz (the 'Tenants') filed a motion to set aside order LTB-L-000774-21 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 on October 19, 2022. The Landlord's representative Andrew Hyland, and the Tenant Esther Del Carmen Mancebo Munoz, 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 Tenant paid a total of \$35,000.00 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 up to July 31, 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.

**It is ordered that:**

1. Order LTB-L-000774-21 is void and cannot be enforced by the Landlord.
2. The amount of \$35,000.00 paid into the LTB by the Tenant shall be paid out to the Landlord.

**October 25, 2022**

**Date Issued**

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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.

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.