



Order under Section 16.1 of the Statutory Powers Procedure Act and the Residential Tenancies Act, 2006

Citation: Chambers v Ferguson, 2024 ONLTB 56422

Date: 2024-07-30

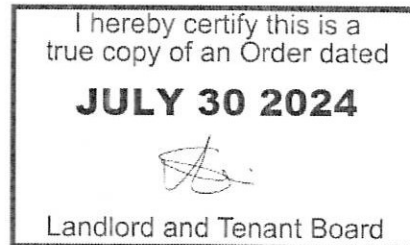
File Number: LTB-L-041413-23-IN2

In the matter of: Basement, 824 Crowells Street
Oshawa Ontario L1K1X3

Between: Rayon Chambers
Michael Chambers
AI PARALEGAL SERVICES

And

Andre Ferguson
Julie Taylor



Landlord

Tenant

INTERIM ORDER

Rayon Chambers, Michael Chambers and AI PARALEGAL SERVICES (the 'Landlord') applied for an order to terminate the tenancy and evict Andre Ferguson and Julie Taylor (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes. **This is the L1 application.**

The Landlord also applied for an order to terminate the tenancy and evict the Tenant because they, another occupant of the rental unit or a person the Tenants permitted in the residential complex have seriously impaired the safety of any person and because the Tenant, another occupant of the rental unit or someone the Tenant permitted in the residential complex has substantially interfered with the reasonable enjoyment or lawful right, privilege or interest of the Landlords in a residential complex that has three or fewer residential units. **This is the L2 application.**

These applications were scheduled by videoconference on July 23, 2024.

The Landlord and the Tenant attended the hearing. The Landlord was represented by Lisa Duchene. The Tenant was represented by Peter Swales.

At the hearing, the parties elected to participate in mediation with the presiding adjudicator but were unsuccessful. As such the matter is directed to a merits hearing.

It is ordered that:

1. The Landlord's L2 application is dismissed as withdrawn.

2. The Landlord's L1 application is directed to a merits hearing and shall be heard with the Tenant's T2 application LTB-T-016928-23 and the section 82 issues filed with the Landlord's L1 application.
3. The parties are directed to attend the hearing and be prepared to proceed on the merits of the original application.
4. Should any party wish to amend their application, they must do so on or before **August 15, 2024** and in accordance with Rule 15 of the LTB's Rules of Procedure. A copy of the amended application must be served to the Landlord and the LTB and proof of service in the form of a "Certificate of Service." must be provided to the Board on or before the above-mentioned date.
5. The following facts are not in dispute between the parties:
 - a) The Tenant vacated the rental unit on June 16, 2024;
 - b) The arrears and costs owing total \$25,701.00.
 - c) The lawful monthly rent was \$1,700.00.
 - d) The rent for May 2024, as directed by interim order LTB-L-041413-23-IN issued on April 23, 2024 has not been paid.
6. The parties are directed to give to each other and to the LTB any additional evidence that has not already been disclosed and that relates to the original application no later than **TEN** days before the hearing. This includes any documents, receipts, photographs, recordings or like things the party intends to rely on at the hearing.
7. Disclosure evidence shall be organized in accordance with the Board's Practice Direction on Evidence:
 - a. All documents, photographs and other items provided to the other parties and the LTB as evidence must:
 - 1) be readable;
 - 2) have consecutively numbered pages; and
 - 3) include a list or table of contents identifying each item in order, and by page number, if more than one item is being submitted.
8. Disclosure to the Board shall be made through the Tribunals Ontario Portal. If a party experiences difficulty with the portal, they may submit their disclosure to the Board **BY E-MAIL**. The LTB e-mail address is ltb.evidence@ontario.ca.
9. Pursuant to Rule 19.7 a party who fails to comply with an order for disclosure may not be permitted to rely on evidence that is not properly disclosed.
10. A party may ask the LTB to issue a summons for a witness by completing and filing a Request for LTB to Issue a Summons form. The request must be made as soon as the party becomes aware a summons is required.

July 30, 2024
Date Issued



Sonia Anwar-Ali
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.