



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

File Number: LTB-L-050727-25-VO

In the matter of: UPPER-LEVEL MASTER BEDROOM, 91
GAINSBOROUGH RD TORONTO ON M4L 3C3

Between: Boris Kokalov Landlord

and

John Eliot Shields Tenant

John Eliot Shields (the 'Tenant') filed a motion to set aside order LTB-L-050727-25 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.

The motion was heard by videoconference on December 22, 2025.

The Landlord and the Landlord's legal representative attended the hearing. The Tenant joined the virtual meeting after the hearing had concluded.

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 \$11,906.00 to the LTB in trust. 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 October 31, 2025, 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 a non-refundable fee of \$324.00 to the Court Enforcement Office (Sheriff) for the purpose of enforcing the eviction and the Tenant's payment made to the LTB in trust is sufficient to reimburse the Landlord for those costs.

It is ordered that:

1. Order LTB-L-050727-25 is void and cannot be enforced by the Landlord.

2. The amount of \$11,906.00 paid into the LTB by the Tenant shall be paid out to the Landlord.

January 8, 2026

Date Issued

Nersi Makki

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.