



**Order under Subsection 74(6)
Residential Tenancies Act, 2006**

File Number: LTB-L-081128-25-VO

In the matter of: 2109, 5 CAPRI RD
ETOBICOKE ON M9B6B5

Between: Capri Holdings Limited Landlord

And

Damian Daniel Graves Tenant

On January 8, 2026 the LTB issued order LTB-L-081128-25 terminating the tenancy and evicting Damian Daniel Graves (the 'Tenant') because the Tenant failed to pay rent that the Tenant owes.

On January 16, 2026 the Tenant filed a motion to void order LTB-L-081128-25 because before the eviction order became enforceable, the Tenant paid Capri Holdings Limited (the 'Landlord') the amount required to void the order under subsection 74(4) of the *Residential Tenancies Act, 2006* (the 'Act').

Determinations:

1. The Tenant filed a declaration or affidavit stating that the full amount required to void order LTB-L-081128-25 was paid to the Landlord before the eviction order became enforceable.
2. The Tenant's total payment to the Landlord is at least \$6,250.68, the amount required to void order LTB-L-081128-25 if the payment was to be made on or before January 19, 2026.

It is ordered that:

1. The motion to void order LTB-L-081128-25 is granted.
2. Order LTB-L-081128-25 is void and cannot be enforced by the Landlord.

January 16, 2026
Date Issued

Elena Jacob
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.

The Landlord has until January 26, 2026 to file a motion with the LTB to set aside this order. If the Landlord files the motion by January 26, 2026 the LTB will schedule a hearing.