



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

Citation: Muskoka D&M Corp v Garvie, 2026 ONLTB 24497

Date: 2026-03-25

File Number: LTB-L-035386-25-VO

In the matter of: 402, 233 DUNLOP ST W
BARRIE ON L4N1B5

Between: Muskoka D&M Corp Landlord

And

Steve Garvie Tenant

On November 5, 2025, the LTB issued order LTB-L-035386-25 terminating the tenancy and evicting Steve Garvie (the 'Tenant') because the Tenant failed to pay rent that the Tenant owes.

On February 17, 2026, the Tenant filed a motion to void order LTB-L-035386-25 because before the eviction order became enforceable, the Tenant paid the Landlord the amount required to void the order under subsection 74(4) of the *Residential Tenancies Act, 2006* (the 'Act').

The motion was heard by video conference on March 18, 2026.

Only the Landlord's agent, C. Grant, and the Landlord's legal representative, E. Steiman, attended the hearing.

As of 1:45 p.m., the Tenant was not present, nor was he represented at the hearing. I proceeded with only the Landlord's evidence.

Determinations:

1. The Tenant filed a declaration or affidavit stating that the full amount required to void order LTB-L-035386-25 was paid to Landlord on December 18, 2025, before the eviction order became enforceable.
2. The Tenant did not attend his motion hearing to support his motion. However, the Landlord had evidence to support the Tenant's motion.
3. The Landlord's evidence confirms that the Tenant's total payment of \$23,471.88 on December 18, 2025, to the Landlord, was at least the amount stipulated in the order LTB-L-035386-25, if the payment was to be made on or before December 31, 2025.

4. The Landlord alleges that the Tenant owed an additional amount of over \$170.00 to the Landlord by December 31, 2025. However, the Landlord had no documentary evidence to support their allegation that the Tenant owed more money to the Landlord than the amount ordered in the termination order of November 5, 2025, to void the order to December 31, 2025.
5. Consequently, I granted the Tenant's motion.

It is ordered that:

1. The motion to void order LTB-L-035386-25 issued on November 5, 2025, is granted.
2. Order LTB-L-035386-25 is void and cannot be enforced by the Landlord.

March 25, 2026
Date Issued

Nancy Morris
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.