



**Order under Section 21.2 of the Statutory Powers Procedure Act
and Section 74(14) of the Residential Tenancies Act, 2006**

File Number: LTB-L-062637-25-RV-VO

In the matter of: 430, 2770 JANE ST
NORTH YORK, ON M3N2J1

Between: 2770 Jane Street Inc Landlord

and

Tammy K Brown Tenants
Kelly Brown

REVIEW & MOTION TO VOID ORDER – ON CONSENT

Procedural History of Application

On July 29, 2025, 2770 Jane Street Inc (the 'Landlord') applied in a L1 application seeking an order to terminate the tenancy and evict Tammy K Brown and Kelly Brown (the 'Tenants') because the Landlord claimed the Tenants did not pay the rent that they owe.

The L1 application was heard by videoconference on October 9, 2025. The L1 application was resolved by order LTB-L-062637-25 issued by Member N. Pedron on November 6, 2025 (the 'L1 Order'), which was a voidable eviction order with termination/void date November 17, 2025.

The Tenants did not pay everything owing so the Landlord filed the L1 Order with the Sheriff for enforcement. The Landlord incurred some fees for scheduling the enforcement; however, the eviction was not yet carried out.

On December 29, 2025, the Tenants submitted a Motion to Void an Eviction Order, claiming that they had voided the L1 Order after it became enforceable but before it was executed, as per section 74(11) of the *Residential Tenancies Act, 2006* (the 'Act'). Pursuant to section 74(13) of the Act, the filing of the Tenants' motion to void automatically stayed the L1 Order.

The motion to void was denied by Endorsement issued by Member E. Robb on December 30, 2025 as the Board was not satisfied the entire amount required to void had been proven as paid by the Tenants from their materials submitted with the motion.

On January 9, 2026, the Tenants requested a review of the Endorsement issued December 30, 2025 claiming there was a serious error, and requested a stay of the L1 Order.

Review interim order LTB-L-062637-25-RV-IN was issued by Member K. Sinipostolova on January 12, 2026, staying the L1 Order and directing the matter to a review hearing.

The review hearing was heard by videoconference on February 18, 2026. The Landlord's legal representative Eric Steiman (paralegal) attended on behalf of the Landlord. The Tenants' legal representative Kyle Warwick (lawyer) attended on behalf of the Tenants.

The parties mutually agreed to resolve all matters at issue in the application and requested an order on consent. I was satisfied that the parties understood the consequences of the joint submission.

[NOTE: Although the Tenants' request was in substance alleging a serious error in the Endorsement denying their motion to void, the Endorsement still made a final determination about the Tenants' rights; therefore, I have treated this review request as being a request to review the process and whether or not the L1 Order was voided prior to enforcement.]

It is ordered on consent that:

1. The Landlord consented to the Tenants' request for review, so the request was granted. The Endorsement issued December 30, 2025 denying the motion to void and the review interim order LTB-L-062637-25-RV-IN issued on January 12, 2026 are both cancelled and replaced by this order.
2. The parties agreed that this motion will exhaust the Tenants' one-time entitlement, so the Tenants cannot make another motion to void under section 74(11) of the Act to set aside an eviction order during the period of the Tenants' tenancy agreement with the Landlord.
3. The parties agreed (and it was accepted by the LTB through post-hearing submissions), that the Tenants have paid the full amount owing (including the balance of \$176.50 for Sheriff's fees) before the eviction was enforced. Therefore, the parties agreed the L1 Order has been voided.
4. The motion to void L1 Order LTB-L-062637-25 issued on November 6, 2025 is granted. The L1 Order is void and cannot be enforced by the Landlord.

April 2, 2026
Date Issued

Michelle Tan

Vice Chair, 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.