



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

File Number: LTB-L-107667-25-VO

In the matter of: Unit 2, 1372 Haist Street
Pelham ON L0S1M0

Between: Nicoletta Serravalle Landlord

And

Damali Beckford Tenant

Damali Beckford (the 'Tenant') filed a motion to set aside order LTB-L-107667-25 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.

This motion was heard by videoconference on May 14, 2026.

The Landlord's legal representative, Robert Barber, the Landlord's agents, Alfonso Piscitelli and Ryan Serravalle, and the Tenant attended the hearing.

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 \$2,805.15 to the Landlord. 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 April 30, 2026, 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 \$323.00 to the Court Enforcement Office (Sheriff) for the purpose of enforcing the eviction and this amount is non-refundable.
4. The Tenant has not reimbursed the Landlord for the enforcement costs the Landlord incurred.
5. The Tenant agreed that they could make this payment into the Board on or by June 21, 2026 and oral instructions were given to the Tenant at the hearing in order to make the required payment and a blank deposit slip was uploaded to the Portal for the Tenant to access after the hearing concluded.

6. At the hearing, the Landlord requested costs on the basis that the Tenant had uploaded material to the Portal in advance of the hearing under DOC-7876633 titled "what happened". The Landlord suggests that the commentary under paragraph 4 of this document forms disparaging remarks against the Landlord and their associated business. The Landlord submits that the Tenant should be ordered to pay costs to the LTB in order to deter the Tenant and set an example that the Tenant should not be engaging in such practises in the future.
7. The Tenant disputes having to pay costs on the basis that they did not submit or rely on such documentation during the proceedings and that they uploaded the material with a misunderstanding regarding what was required of them during the proceedings. The Tenant felt it was important to submit documentation regarding the reasons they did not attend the hearing on March 4, 2026 and to suggest that their circumstances surrounding hardship were more prejudicial than that of the Landlord.
8. Costs are discretionary. Indeed they are intended to deter unreasonable conduct during the proceedings against a party that engages in unreasonable conduct or where a party maligns another party or unreasonably slurs the character of the other party. Conduct is unreasonable if it causes undue expense or delay.
9. However, the Tenant did not make any submissions at the hearing or draw any attention to the material that they filed. They only made submissions regarding the amounts they paid to void the order and information regarding their illness on the hearing date and about how or when they would be able to pay the sheriff fees to the LTB.
10. I do not find it appropriate to use my discretion to order LTB costs against the Tenant under the circumstances. The Tenant neither caused unreasonable expense or delay in the proceedings.
11. In actual fact, it was the Landlord's submissions and to consider this document which had not been submitted at the hearing by the Tenant that caused unreasonable expense and delay. If anything, any additional costs that may have been incurred by the Landlord were borne by their own submissions at the hearing. Accordingly, the request for costs is denied.

It is ordered that:

1. Order LTB-L-107667-25 is void and cannot be enforced by the Landlord if the condition set out in paragraph 2 of this order is met.
2. The Tenant shall pay \$323.00 to the LTB on or before May 21, 2026. This amount represents the non-refundable enforcement costs the Landlord incurred.
3. If the Tenant pays the amount set out in paragraph 2 on or before May 21, 2026, then an employee of the LTB will issue a notice acknowledging that the eviction order related to arrears is void.
4. If the Tenant does not pay the amount set out in paragraph 2 on or before May 21, 2026, then an employee of the LTB will issue a notice acknowledging that the eviction order related to arrears is not void and the eviction order becomes enforceable.

May 19, 2026
Date Issued

Terri van Huisstede
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.

Instructions for paying money into the Board

The Board has a trust account with the Canadian Imperial Bank of Commerce (CIBC). A party's payment is deposited into this account.

Already uploaded in the Portal under DOC-7965931 is a "Deposit Acceleration Slip" (deposit slip) from the Board. It has the Board's trust account number and your application number on it.

In order to make a payment into the Board, you must follow these steps:

- Get a certified cheque, money order or bank draft in the amount required to be paid in. You can also pay by cash, but other methods may be safer.
- Take the deposit slip and your payment to any CIBC. The bank will take your payment, deposit it in the Board's trust account, date stamp your deposit slip and give you a copy of your deposit slip for the Board.
- After you pay at CIBC branch, you must provide the date stamped deposit slip to the LTB as soon as possible. **Do not wait.**

You can send it to the LTB in the following ways: upload a picture or scanned copy of the deposit slip directly to your file on Tribunals Ontario Portal under "Deposit Slip – Payment In". This is the fastest option.

If you don't have access to the portal, you can send a copy by email at LTBPayments@ontario.ca with your file number and "Deposit Slip – Payment In" in the subject line. Or you can take it in person to a designated Service Ontario office.