



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

Citation: Jobe v Duvall, 2026 ONLTB 43675

Date: 2026-06-01

File Number: LTB-L-004854-26-VO

In the matter of: 1, 118 BROWN ST
PORT DOVER ON N0A1N7

Between: Guiseppina Jobe Landlords
Peter Jobe

And

Ken Duvall Tenants
Jennifer Gilmour
Karen Matthews

On April 7, 2026, the LTB issued order LTB-L-004854-26 terminating the tenancy and evicting Ken Duvall, Jennifer Gilmour and Karen Matthews (the 'Tenants') because the Tenants failed to pay rent that the Tenants owe.

On May 29, 2026, the Tenants filed a motion to void order LTB-L-004854-26 because before the eviction order became enforceable, the Tenants paid Guiseppina Jobe and Peter Jobe (the 'Landlords') the amount required to void the order under subsection 74(4) of the *Residential Tenancies Act, 2006* (the 'Act').

Determinations:

1. The Tenants filed a declaration or affidavit stating that the full amount required to void order LTB-L-004854-26 was paid to the Landlords before the eviction order became enforceable.
2. Section 74(4) of the *Residential Tenancies Act, 2006* (the 'Act') provides that an eviction order referred to in subsection (3) **is void if the tenant pays to the landlord or to the Board**, before the order becomes enforceable [Emphasis added]. In my view, this means that the moment the money leaves the Tenants' possession is the moment it is paid, regardless of whether it is in the Landlords' hands, bank account or mailbox.
3. While the Tenants' e-transfer may not have been deposited into the Landlord's account until May 19, 2026, page 10 of the Tenant's motion to void confirms that the Tenant e-transferred the balance owed to the Landlord at 6:54 p.m. on May 15, 2026.

4. Therefore, I am satisfied that the Tenants' total payment to the Landlords is at least \$11,320.28, being the amount required to void order LTB-L-004854-26 if the payment was made on or before May 15, 2026.

It is ordered that:

1. The motion to void order LTB-L-004854-26 is granted.
2. Order LTB-L-004854-26 is void and cannot be enforced by the Landlords.

June 1, 2026
Date Issued

Karen Gonçalves
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 Landlords have until June 11, 2026 to file a motion with the LTB to set aside this order. If the Landlords file the motion by June 11, 2026 the LTB will schedule a hearing.