



**Order under Section 78(11)
Residential Tenancies Act, 2006**

File Number: LTB-L-038945-26-SA

In the matter of: 2, 3270 PROSPECT ST
BURLINGTON ON L7N3M5

Between: 366372 ONTARIO LTD./SHELTER Landlord
CANADIAN PROPERTIES LIMITED

And

JOSEPH EMMITT MORRIS Tenant

366372 ONTARIO LTD./SHELTER CANADIAN PROPERTIES LIMITED (the 'Landlord') applied for an order to terminate the tenancy and evict JOSEPH EMMITT MORRIS (the 'Tenant') and for an order to have the Tenant pay the rent they owe because the Tenant did not meet a condition specified in the order issued by the LTB on March 18, 2026 with respect to application LTB-L-108756-25.

The Landlord's application was resolved by order LTB-L-038945-26, issued on May 11, 2026. This order was issued without a hearing being held.

The Tenant filed on May 27, 2026, a request to extend time and a motion to set aside order LTB-L-038945-26.

The motion was scheduled to be heard by video conference on June 18, 2026.

Before the start of the hearing the Landlord Costinela Moldovan, the Landlord's legal representative Marie Galevski and the Tenant Joseph Emmitt Morris engaged in private settlement discussions and advised that the parties had reached an agreement.

The parties requested that Dispute Resolution Officer (DRO) Diego Fernandez-Stoll provide assistance in finalizing the terms and issue an order on consent to resolve all matters raised in the application. Upon reviewing the terms of the consent with the parties, I was satisfied that the parties understood the terms and consequences of their consent.

The parties agreed that:

1. The Landlord consents to the Tenant's motion to set aside order LTB-L-038945-26.

2. The current monthly rent is \$1,671.38 and is payable on the 1st day of the month.
3. The total arrears of rent owing up to June 30, 2026, including the application filing fee are \$7,154.27.
4. The Landlord is holding a rent deposit of \$1,671.38. Interest was last applied to this amount up to February 28, 2026.
5. Interest on the rent deposit, in the amount of \$10.58 is owing to the Tenant for the period from February 28, 2026 to June 18, 2026.
6. The last month rent deposit and all accrued interest will be deducted from the arrears of rent and costs, leaving a balance payable of \$5,472.31
7. The Landlord has indicated they have issued a partial refund in the amount of \$125.31 representing rent deposit interest owed to the Tenant. If upon further review, the payment has not been completed, the parties agree the Landlord will reduce the amounts owing under this order by \$125.31.
8. The parties agree to a final, non-voidable eviction order with an eviction date of July 31, 2026. The application is amended to include an L3 application based on the parties' agreement to terminate the tenancy. As a consequence, the Tenant do not have the option to void the eviction order under subsections 74(4) or 74(11) of the Residential Tenancies Act, 2006 (the 'Act') by paying the outstanding rent arrears.

It is ordered on consent that:

1. The motion to set aside Order LTB-L-038945-26, issued on May 11, 2026 is granted.
2. Order LTB-L-038945-26, issued on May 11, 2026 is set aside and cannot be enforced.
3. Order LTB-L-108756-25 issued on March 18, 2026 is amended by cancelling it and replacing it with the following:
4. The tenancy between the Landlord and the Tenant is terminated. The Tenant must move out of the rental unit on or before July 31, 2026.
5. The Tenant shall pay the Landlord any rent arrears owing up to the date of the hearing and the cost of filing the application. The amount of the rent deposit and interest the Landlord owe on the rent deposit are deducted from the amount owing by the Tenant.
6. The Tenant shall pay to the Landlord \$5,472.31 for arrears of rent and costs.
7. The Tenant shall also pay the Landlord compensation of \$54.95 per day for the use of the unit starting July 1, 2026 to the date the Tenant moves out of the unit.
8. If the Tenant does not pay the Landlord the full amount owing on or before July 31, 2026, the Tenant will start to owe interest. This will be simple interest calculated from August 1, 2026 at 4.00% annually on the balance outstanding.

9. If the unit is not vacated on or before July 31, 2026, then starting August 1, 2026, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
10. Upon receipt of this order, the Court Enforcement Office (Sheriff) is directed to give vacant possession of the unit to the Landlord on or after August 1, 2026.

June 24, 2026
Date Issued

Diego Fernandez-Stoll
Hearings Officer, 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.