



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

File Number: LTB-L-007861-26-VO

In the matter of: 1001, 2700 BATHURST ST
NORTH YORK ON M6B2Z7

Between: Hillhurst Park Apartments Landlord

And

Damian Berkley Tenant
Tamia Berkley

On April 20, 2026 the LTB issued order LTB-L-007861-26 terminating the tenancy and evicting Damian Berkley and Tamia Berkley (the 'Tenant') because the Tenant failed to pay rent that the Tenant owes.

On June 24, 2026 the Tenant filed a motion to void order LTB-L-007861-26 because before the eviction order became enforceable, the Tenant paid Hillhurst Park Apartments (the 'Landlord') the amount required to void the order under subsection 74(4) of the *Residential Tenancies Act, 2006* (the 'Act').

Determinations:

1. The Tenant filed a declaration or affidavit stating that the full amount required to void order LTB-L-007861-26 was paid to the Landlord before the eviction order became enforceable.
2. The Tenant's total payment to the Landlord is at least \$3,529.03, the amount required to void order LTB-L-007861-26 if the payment was to be made on or before April 30, 2026.

It is ordered that:

1. The motion to void order LTB-L-007861-26 is granted.
2. Order LTB-L-007861-26 is void and cannot be enforced by the Landlord.

June 24, 2026
Date Issued

Elena Jacob
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 Landlord has until July 4, 2026 to file a motion with the LTB to set aside this order. If the Landlord files the motion by July 4, 2026 the LTB will schedule a hearing.