

Order under Section 16.1 of the
Statutory Powers Procedure Act
and the **Residential Tenancies Act, 2006**

File Numbers: SOT-77864-17-IN and SOT-77620-16

In the matter of: 2, 99 EAST AVENUE SOUTH
HAMILTON ON L8N2T6

Between: Paul Bosch
Marie Ball

Tenants

and

John Cerino

Landlord

INTERIM ORDER

1. The Tenants applied for an order determining that the Landlord:
 - a. failed to meet the Landlord's obligations related to suite meters under the *Residential Tenancies Act, 2006* (the 'Act').
 - b. failed to meet the Landlord's maintenance obligations under the *Residential Tenancies Act, 2006* (the 'Act') or failed to comply with health, safety, housing or maintenance standards.
 - c. withheld or deliberately interfered with the reasonable supply of a vital service, care service, or food that the Landlord is obligated to supply under the tenancy agreement.
2. A Case Management Hearing (CMH) was held by telephone on January 23, 2017. The Tenants, the Landlord and Augustino Cerino, the Landlord's business partner, attended the hearing.
3. After reviewing the materials submitted and listening to the submissions presented at the CMH, I am satisfied the Landlord and Tenants are in agreement as follows:

The Tenancy commenced October 1, 2015 and the Tenants' lawful monthly rent is \$1,100.00.

The parties agree that the following issues in the Tenants' applications have been resolved: Stove, Bedroom doors, Foyer light and Door Self-closure.

4. The parties were unable to resolve all the issues in dispute. Accordingly, a hearing on the merits is scheduled for March 7, 2017 at 1:30 pm to resolve this application. The parties were informed about the time, place and purpose of the merits hearing.
5. The parties shall request Board Summons no later than 10 days before the merits hearing.

6. The Tenants are encouraged to seek legal advice prior to the merits hearing. The telephone number for the Hamilton Legal Clinic is 905-757-9590. The Landlord may contact Landlord Self Help at 416-504-5190 for legal advice.
7. If the parties intend to rely on documentary evidence such as texts, bills, emails, these documents must be submitted. Parties must ensure they are prepared to speak to the relevance of their materials and the probative value.

ORDER:

1. The application will be heard on its merits on March 7, 2017;
2. Disclosure:
 - a) No later than February 20, 2017, the Tenants shall produce to the Landlord any arguably relevant evidence (not already produced to each other and filed with the LTB) that will be used at the Merits Hearing. The Tenants shall bring copies of those documents to the hearing to be given to the member if admitted as evidence.
 - b) No later than February 27, 2017, the landlord shall produce to the Tenants any arguably relevant evidence (not already produced to each other and filed with the LTB) that will be used at the Merits Hearing. The Landlord shall bring copies of those documents to the hearing to be given to the member if admitted as evidence.


If either party fails to comply with this interim order, the LTB may proceed without further notice to the parties and decide the application based on the evidence before it.

January 24, 2017

Date Issued

Tenant Board

Southern-RO
119 King Street West, 6th Floor
Hamilton ON L8P4Y7



Laura Rossiter
Dispute Resolution Officer, Landlord and

If you have any questions about this order; call 416-645-8080 or toll free at 1-888-332-3234.