



**Jan 19, 2024**

## Order under Section 69 Residential Tenancies Act, 2006

**Citation:** A.G.SECURE PROPERTY MANAGEMENT INC v Rockburn, 2024 ONLTB 4358

**Date:** 2024-01-19

**File Number:** LTB-L-059809-23

**In the matter of:** 1, 242 MARY ST  
ORILLIA ON L3V3E6

**Between:** A.G.SECURE PROPERTY MANAGEMENT INC Landlord

**And**

Chad Rockburn and Katie Maceachem Tenants

A.G.SECURE PROPERTY MANAGEMENT INC (the 'Landlord') applied for an order to terminate the tenancy and evict Chad Rockburn and Katie Maceachem (the 'Tenants') because the Tenants did not pay the rent that the Tenants owes.

This application was heard by videoconference on December 21, 2023.

The Landlord, the Landlord's representative, Nicole Fazzari, and the Tenants attended the hearing.

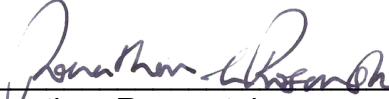
At the outset of the hearing, the parties advised that they had come to an agreement, and were seeking an order on consent. Because that consent included a non-voidable eviction order, I discussed this with the Tenants and they confirmed that they understood that they were forgoing the right to void that would otherwise be available to them pursuant to s. 74 of the Residential Tenancies Act, 2006.

### **Accordingly, it is ordered on consent that:**

1. The tenancy between the Landlord and the Tenants is terminated as of December 31, 2023. **The Tenants must move out of the rental unit on or before that date.**
2. The Tenants shall pay to the Landlord \$7,717.00, being the arrears and application fee. The Tenants shall also pay the Landlord compensation of \$41.10 per day for the use of the unit starting January 1, 2024 until the date the Tenants move out of the unit.
3. If the Tenants does not pay the Landlord the full amount owing on or before January 30, 2024, the Tenants will start to owe interest. This will be simple interest calculated from January 11, 2024 at 7.00% annually on the balance outstanding.
4. If the unit is not vacated on or before December 1, 2023, then starting January 1, 2024, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.

5. 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 January 1, 2024.

**January 19, 2024**  
**Date Issued**

  
\_\_\_\_\_  
Jonathan Rosenstein  
Member, Landlord and Tenants 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.

In accordance with section 81 of the Act, the part of this order relating to the eviction expires on July 1, 2024 if the order has not been filed on or before this date with the Court Enforcement Office (Sheriff) that has territorial jurisdiction where the rental unit is located.