



## Order under Section 69 Residential Tenancies Act, 2006

**Citation:** Badhan v Simard-duncan, 2024 ONLTB 18251

**Date:** 2024-03-14

**File Number:** LTB-L-082308-23

**In the matter of:** Main Floor and Basement Bedroom 1,  
333 Mary St W.  
Lindsay On K9V5X5

**Between:** Manpreet Singh Badhan

**And**

Sarah L. Simard-duncan  
Brett Geoffrey Richardson

I hereby certify this is a  
true copy of an Order dated

**MARCH 14, 2024**

Landlord and Tenant Board

Landlord

Tenants

Manpreet Singh Badhan (the 'Landlord') applied to the Landlord and Tenant Board (LTB) for an order to terminate the tenancy and evict Sarah L. Simard-duncan and Brett Geoffrey Richardson (the 'Tenants') because:

- the Tenant did not pay the rent that the Tenant owes.
- the Tenant has been persistently late in paying the Tenant's rent.

This application was heard by videoconference on February 26, 2024.

The Landlord representative Berkan Altun and the Tenants attended the hearing.

At the hearing, the parties engaged in mediation with hearing officer D. Knight. As a result of the resolution discussion, the parties reached a settlement of all issues arising from the Application for the period up to the date of the hearing.

The parties before the LTB consented to the following order:

### Preliminary Issue:

1. At the outset of the application the parties requested that the application be amended to reflect the correct address of the rental unit as Main Floor and Basement Bedroom 1, 333 Mary St W, Lindsay ON K9V5X5. It is so amended.

### Agreed Facts:

2. The parties agree that the Tenant is responsible for 65% of utilities and that the Tenant shall pay the utilities on time.

3. The parties privately agree that the Tenants shall make a utility payment of \$512.46 on or before March 7, 2024, which deals with all utilities to December 2023.
4. The parties agree that the Tenants shall clearly outlined in e-transfer memo what the e-transfer is for.

**It is ordered on consent that:**

**L1 Application**

1. The Tenant shall pay to the Landlord \$13,751.62 for arrears of rent up to February 29, 2024, and the cost of filing the application.
2. The Tenant shall pay to the Landlord the amount set out in paragraph 1 in accordance with the following schedule:
  1. \$400.00 on or before the 20<sup>th</sup> of each month beginning March 20, 2024 to May 20, 2024.
  2. \$500.00 on or before the 1<sup>st</sup> and 15<sup>th</sup> of each month beginning June 1, 2024 until the arrears are paid in full ( For clarity the Tenant shall pay \$500.00 on the 1<sup>st</sup> of each month and \$500.00 on the 15<sup>th</sup> of each month).
3. The Tenants shall pay rent for March 2024 as follows
  1. \$2,000.00 on or before March 14, 2024.
  2. \$1,000.00 on or before March 28, 2024.
4. The Tenants pay rent on the 1<sup>st</sup> and 15<sup>th</sup> of each month. The payments are each 50% of the lawful monthly rent. The Tenant shall pay to the Landlord new rent on time and in full as it comes due and owing for the period from April 1, 2024, until the arrears are paid in full.
5. If the Tenant fails to make any one of the payments in accordance with this order, the outstanding balance of any arrears of rent and costs to be paid by the Tenant to the Landlord pursuant to paragraph 1 of this order shall become immediately due and owing and the Landlord may, without notice to the Tenant, apply to the LTB within 30 days of the Tenant's breach pursuant to section 78 of the Act for an order terminating the tenancy and evicting the Tenant and requiring that the Tenant pay any new arrears, NSF fees and related charges that became owing after February 29, 2024.

**L2 Application**

6. Should the Tenants complete payments earlier than the payment plan outlined in paragraph 3, then the Tenants are required to pay the lawful monthly rent for a 12-month duration starting April 1, 2024.
7. If the Tenants fail to comply with the conditions set out in paragraph 1 of this order, the Landlord may apply under section 78 of the *Residential Tenancies Act, 2006* (the 'Act') for

an order terminating the tenancy and evicting the Tenants. The Landlord must make the application within 30 days of a breach of a condition. This application is made to the LTB without the notice of the Tenant.

**March 14, 2024**  
**Date Issued**

  
\_\_\_\_\_  
Dillanique Knight  
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.