



## Order under Sections 69 and 77(8) Residential Tenancies Act, 2006

**Citation:** Lindo v Brussee, 2023 ONLTB 68992

**Date:** 2023-10-20

**File Numbers:** LTB-L-062100-23-SA  
LTB-L-075089-23

**In the matter of:** 1219 HUNTINGTON CIR  
PETERBOROUGH ON K9K2B6

**Between:** Renee Lindo

**And**

Tasha Brussee

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

**OCT 20 2023**

Landlord and Tenant Board

Landlord

Tenant

Renee Lindo (the 'Landlord') applied for an order to terminate the tenancy and evict Tasha Brussee (the 'Tenant') because the Tenant entered into an agreement to terminate the tenancy ('L3 application').

The Landlord's L3 application was resolved by order LTB-L-062100-23, issued on August 23, 2023. The order was issued without a hearing being held.

The Tenant filed a motion on August 23, 2023 to set aside order LTB-L-062100-23.

The motion was heard by videoconference on October 10, 2023. The Tenant attended the hearing and spoke with duty counsel. The Landlord and the Landlord's legal representative, Crystal Francey attended the hearing.

At the hearing the parties reached consent regarding the L3 application and asked that the Tenant's L1 application for file number LTB-L- 075089-23 be brought forward as part of the consent.

The Landlord applied for an order to terminate the tenancy and evict the Tenant because the Tenant did not pay the rent that the Tenant owes ('L1 application').

At the hearing, the parties consented to the following order which resolves files LTB-L-062100-23 and LTB-L-075089-23.

**It is ordered that:**

1. Order LTB-L-062100-23, issued on August 23, 2023 is set aside and replaced by the following:

2. The tenancy between the Landlord and the Tenant is terminated as of April 30, 2024. The Tenant must move out of the rental unit on or before April 30, 2024.
3. If the unit is not vacated on or before April 30, 2024, then starting May 1, 2024, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
4. 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 May 1, 2024.
5. The total arrears, inclusive of the application filing fee are \$4,400.46 to September 30, 2023.
5. The Tenant shall pay to the Landlord, the lawful monthly rent on or before the 20<sup>th</sup> day of each month commencing October 20, 2023 to March 20, 2024 inclusive.
6. The Tenant shall pay by e-transfer, the amount of \$2,014.23 by October 10, 2023 to the Landlord's property management company.
7. The Tenant shall pay to the Landlord \$397.71 on the last day of each month commencing November 30, 2023 to April 30, 2024 inclusive.
8. 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 paragraphs 5, 6, 7 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 *Residential Tenancies Act, 2006* (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 September 30, 2023.
9. The Landlord shall apply the last month's rent deposit and the interest owing on the last month's rent deposit to monthly rent for April 2024.

**October 20, 2023**  
**Date Issued**

  
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Kimberly Parish  
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.

In accordance with section 81 of the Act, the part of this order relating to the eviction of the Tenant expires on October 28, 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.