



**Order under Section 69
Residential Tenancies Act, 2006**

Citation: Javed v Finch, 2023 ONLTB 49011

Date: 2023-07-12

File Number: LTB-L-051606-22

In the matter of: 5 PRISCILLA LANE
HAMILTON ON L8E3K9

Between: Fouzia Javed

And

Ava Finch, Adela Berrios and Mario Cornejo

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

JULY 12 2023

Landlord and Tenant Board

Landlord

Tenants

Fouzia Javed (the 'Landlord') applied for an order to terminate the tenancy and evict Ava Finch, Adela Berrios and Mario Cornejo (the 'Tenants') because the Tenants did not pay the rent that the Tenant owes ('L1 application').

Fouzia Javed (the 'Landlord') applied for an order to terminate the tenancy and evict Adela Berrios and Mario Cornejo (the 'Tenants') because the Tenants have been persistently late in paying the Tenants' rent. The Landlord also claimed compensation for each day the Tenants remained in the unit after the termination date ('L2 application').

This application was heard by videoconference on June 28, 2023. The Landlord and the Landlord's daughter Momena Javed support person for the Tenant attended the hearing. The Landlord's legal representative Kashif Ali attended the hearing. Both Tenants attended the hearing and spoke with duty counsel prior to the hearing.

The parties before the LTB consented to the following order:

It is ordered on consent that:

1. The L2 application is withdrawn.
2. The Tenants shall pay to the Landlord \$33,600.00 for arrears of rent up to June 30, 2023. The Landlord agreed to waive the application filing fee of \$186.00.
3. The Tenants shall pay to the Landlord the amount set out in paragraph 1 in accordance with the following schedule:
 - a) \$20,000.00 in certified funds on or before July 15, 2023;
 - b) The remaining balance of \$13,600.00 shall be paid as follows:

- i. \$500.00 plus the lawful monthly rent shall be paid on or before the first day of each month, commencing August 1, 2023 and up to and including November 1, 2023;
- ii. \$1,054.54 plus the lawful monthly rent shall be paid on or before the first day of each month, commencing December 1, 2023 and up to and including September 1, 2024; and
- iii. One final payment of \$1,054.60 plus the lawful monthly rent shall be paid on or before October 1, 2024.

4. If the Tenants fail 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 Tenants to the Landlord pursuant to paragraph 1 of this order shall become immediately due and owing and the Landlord may, without notice to the Tenants, apply to the LTB within 30 days of the Tenants' breach pursuant to section 78 of the Act for an order terminating the tenancy and evicting the Tenants and requiring that the Tenants pay any new arrears, NSF fees and related charges that became owing after June 30, 2023.

July 12, 2023
Date Issued



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.