

Order under Section 69
Residential Tenancies Act, 2006

File Number: HOL-12109-21

In the matter of: 9D, 1460 HIGHLAND ROAD W
KITCHENER ON N2N0B7

Between: Laurie-ann Stephens

and

Jeffrey Rogers

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

OCT 14, 2022

Landlord and Tenant Board

Landlord

Tenant

Laurie-ann Stephens (the 'Landlord') applied for an order to terminate the tenancy and evict Jeffrey Rogers (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard on October 13, 2022, via video conference. The Landlord, Danielle Marks (Landlord's Legal Counsel), and the Tenant attended. The Tenant consulted duty counsel.

In mediation, the parties agreed to resolve all matters at issue in the application and requested an Order on consent. I was satisfied that the parties understood the consequences of the joint submission.

On consent of the parties, it is ordered that:

1. On consent, the parties requested a final, non-voidable termination of this tenancy based on their agreement to terminate the tenancy as of October 31, 2022. The application is amended to include an L3 Application for termination of the tenancy. As a consequence, the Tenant does not have the option to void the eviction order under subsections 74(4) or 74(11) of the *Residential Tenancies Act, 2006* (the 'Act') by paying the outstanding rent arrears.
2. The tenancy between the Landlord and the Tenant is terminated. The Tenant must move out of the rental unit on or before October 31, 2022.
3. If the unit is not vacated on or before October 31, 2022, starting November 1, 2022, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
4. The Tenant shall also pay to the Landlord \$31.23 per day for compensation for the use of the unit starting November 1, 2022, to the date they move out of the unit.

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 November 1, 2022.
6. On or before October 31, 2022, the Tenant shall pay to the Landlord \$15,476.10 which represents arrears of rent to October 31, 2022 (\$16,375.00) and costs (\$186.00) minus the rent deposit (\$950.00) and interest owing on the rent deposit (\$134.90).
7. If the Tenant does not pay the Landlord the full amount owing on or before October 31, 2022, the Tenant will start to owe interest. This will be simple interest calculated from November 1, 2022, at 4.00% annually on the balance outstanding.



October 14, 2022

Date Issued

Melinda Jamieson

Dispute Resolution Officer, Landlord and Tenant Board

Head Office
777 Bay Street, 12th Floor
Toronto Ontario M5G2E5

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