



Order under Section 69 and 77  
**Residential Tenancies Act, 2006**

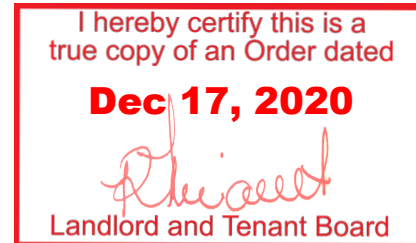
**File Number:** TNL-26521-20

**In the matter of:** 108 HIGHLAND CRESCENT  
NORTH YORK ON M2L1H1

**Between:** Baheerathy Sriskandakumar

**and**

Leonard Waldman  
Natalie Waldman



Landlord

Tenants

Baheerathy Sriskandakumar (the 'Landlord') applied for an order to terminate the tenancy and evict Leonard Waldman and Natalie Waldman (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was heard by videoconference on November 25, 2020. The Landlord and the Tenants Landlord's Legal Representative, Mariette Niranjanan, attended the hearing.

The parties mutually 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.

**At the hearing, the parties agreed:**

1. The Tenants have not paid the total rent the Tenants were required to pay for the period from February 1, 2020 to November 30, 2020. Because of the arrears, the Landlord served a Notice of Termination effective April 16, 2020.
2. The Tenants are in possession of the rental unit.
3. The lawful monthly rent is \$7,802.97.00.
4. The Landlord collected a rent deposit of \$7,802.97 from the Tenants and this deposit is still being held by the Landlord.
5. Interest on the rent deposit is owing to the Tenants for the period from February 2, 2020 to April 16, 2020.
6. The parties agree that the amount outstanding to November 30, 2020, inclusive of rent arrears and costs, is \$62,000.00.

7. The Landlord's claim for the period ending November 30, 2020 exceeds the Board's monetary jurisdiction of \$35,000.00. The Landlord indicated a desire to proceed with the hearing of the application and voluntarily waived the portion of the claim that exceeds the Board's monetary jurisdiction.
8. On consent, the parties requested a final, non-voidable termination of this tenancy based on their agreement to terminate the tenancy as of December 15, 2020. Consequently, the Tenants do 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.

**On consent of the parties, it is ordered that:**

1. The tenancy between the Landlord and the Tenants is terminated. The Tenants must move out of the rental unit on or before December 15, 2020.
2. If the unit is not vacated on or before December 15, 2020, then starting December 16, 2020, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
3. 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 December 16, 2020.
4. The Tenants shall pay to the Landlord \$35,000.00, which represents the Board's monetary jurisdictional limit.
5. The Tenants shall also pay to the Landlord \$175.00 for the cost of filing the application.
6. If the Tenants do not pay the Landlord the full amount owing\* on or before February 1, 2021, the Tenants will start to owe interest. This will be simple interest calculated from February 2, 2021 at 2.00% annually on the balance outstanding.

**December 17, 2020**  
**Date Issued**



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Khalid Akram  
Member, Landlord and Tenant Board

Toronto North-RO  
47 Sheppard Avenue East, Suite 700, 7th Floor  
Toronto ON M2N5X5

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 June 16, 2021 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.