



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

Citation: Lady Brantford Ltd. v Hill, 2023 ONLTB 22773

Date: 2023-02-28

File Number: LTB-L-019904-22

In the matter of: Unit 109, 19 Iroquois Street
Brantford ON N3S6N8

Between: Lady Brantford Ltd.

And

Justin Hill

I hereby certify this is a
true copy of an Order dated
FEB 28, 2023
Landlord and Tenant Board

Landlord

Tenant

Lady Brantford Ltd.(the 'Landlord') applied for an order to terminate the tenancy and evict Justin Hill(the 'Tenant') because the Tenant, another occupant of the rental unit or someone the Tenant permitted in the residential complex has substantially interfered with the reasonable enjoyment or lawful right, privilege or interest of the Landlord or another tenant; and the Tenant, another occupant of the rental unit or someone the Tenant permitted in the residential complex has wilfully or negligently caused damage to the premises.

This application was scheduled to be heard by videoconference on February 21, 2023. Jackie Struthers (Landlord Legal Representative), Dave Malcolm (Landlord Agent) and the Tenant attended. The Tenant declined the opportunity to consult duty counsel.

In mediation, 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.

It is ordered on consent that:

1. The Landlord’s application for eviction of the Tenant is resolved on the condition that:
 - (a) For a period of 24 months starting February 21, 2023, to February 20, 2025, inclusive, the Tenant, the tenant’s guests or occupants of the unit shall not engage in further behaviors as detailed in the originating N5 notices to terminate the tenancy.
 - (b) On or before March 10, 2023, the Tenant shall bring the rental unit to a state of ordinary cleanliness and then maintain the unit in a state of ordinary cleanliness.
 - (c) The Tenant shall remove garbage and debris daily.
 - (d) The Tenant shall keep the noise to a reasonable level including no yelling while gaming.

2. If the Tenant fails to comply with any of the terms in paragraph 1 of this Order, the Landlord may apply under section 78 of the *Residential Tenancies Act, 2006*, without notice to the Tenant, for an order terminating the tenancy and evicting the Tenant. The Landlord must make this application no later than 30 days after the Tenants breach.

3. The Tenant shall pay to the Landlord \$3,678.38, which represents damage (\$3,492.38) and costs (\$186.00).

4. The Tenant shall pay to the Landlord the amount set out in paragraph 3 in accordance with the following schedule:

Date Payment Due	Amount of Payment
March 1, 2023	\$200.00 (Costs and damage)
April 1, 2023	\$200.00 (damage)
May 1, 2023	\$200.00 (damage)
June 1, 2023	\$200.00 (damage)
July 1, 2023	\$200.00 (damage)
August 1, 2023	\$200.00 (damage)
September 1, 2023	\$200.00 (damage)
October 1, 2023	\$200.00 (damage)
November 1, 2023	\$200.00 (damage)
December 1, 2023	\$200.00 (damage)
January 1, 2024	\$200.00 (damage)
February 1, 2024	\$200.00 (damage)
March 1, 2024	\$200.00 (damage)
April 1, 2024	\$200.00 (damage)
May 1, 2024	\$200.00 (damage)
June 1, 2024	\$200.00

	(damage)
July 1, 2024	\$200.00 (damage)
August 1, 2024	\$200.00 (damage)
September 1, 2024	\$78.38 (damage)

5. If the Tenant fails to make any one of the payments in accordance with paragraph 4 of this order, the outstanding balance of any damage and costs to be paid by the Tenant to the Landlord pursuant to paragraph 3 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.
6. The parties agreed that on November 22, 2022, the Tenant was served an N4 notice for rent arrears. The parties agreed that the arrears to date are \$1,322.00 and moving forward the Tenant undertakes to pay the monthly rent (including the current \$142.00 monthly portion that is not paid direct by ODSP) in full and arrange to bring the arrears to a zero balance.



February 28, 2023
Date Issued

Melinda Jamieson
Hearing 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.