



**Order under Section 78(6)
Residential Tenancies Act, 2006**

Date: 2024-03-19

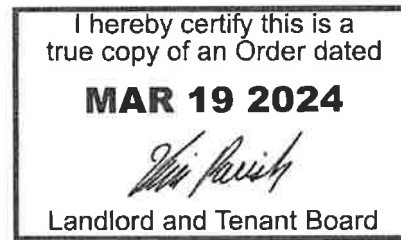
File Number: LTB-L-018702-24

In the matter of: 516, 1944 YONGE ST
TORONTO ON M4S3E5

Between: 1920/1944 Davisville Inc.

And

Robert Lasalle



Landlord

Tenant

1920/1944 Davisville Inc. (the 'Landlord') applied for an order to terminate the tenancy and evict Robert Lasalle (the 'Tenant') and for an order to have the Tenant pay the rent they owe because the Tenant did not meet a condition specified in the order issued by the LTB on March 1, 2024 with respect to application LTB-L-059160-23.

This application was decided without a hearing being held.

Determinations:

1. The order provides that the Landlord can apply to the LTB under section 78 of the *Residential Tenancies Act, 2006* (the 'Act') without notice to the Tenant to terminate the tenancy and evict the Tenant if the Tenant does not meet certain condition(s) in the order. This application was filed within 30 days of the breach.

2. I find that the Tenant has not met the following conditions specified in the order:

The Tenant failed to pay \$530.00 towards the arrears, due on or before February 26, 2024.

The Tenant failed to pay the lawful monthly rent for March 2024 due on or before March 1, 2024.

3. The previous application includes a request for an order for the payment of arrears of rent and the order requires the Tenant to make payments by specific due dates. Accordingly, in addition to eviction, the Landlord is entitled to request an order for the payment of arrears owing.

4. The Tenant was required to pay \$10,181.30 for rent arrears and the application filing fee in the previous order. The amount that is still owing from that order is \$10,181.30 and that amount is included in this order. This order replaces order LTB-L-059160-23.
5. Since the date of the previous order, the Tenant has failed to pay the full rent that became owing for the period from February 1, 2024 to March 31, 2024.
6. The Landlord collected a rent deposit of \$1,670.00 from the Tenant and this deposit is still being held by the Landlord.
7. Interest on the rent deposit is owing to the Tenant for the period from January 1, 2024 to March 19, 2024.
8. The amount of the rent deposit and interest on the rent deposit is applied to the amount the Tenant is required to pay.
9. The Landlord is entitled to daily compensation from the day after this order is issued to the date the Tenant moves out of the unit at a daily rate of \$54.90. This amount is calculated as follows: \$1,670.00 x 12, divided by 365 days.

It is ordered that:

1. Order LTB-L-059160-23 is cancelled.
2. The tenancy between the Landlord and the Tenant is terminated. The Tenant must move out of the rental unit on or before March 30, 2024.
3. If the unit is not vacated on or before March 30, 2024, then starting March 31, 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 March 31, 2024.
5. The Tenant shall pay to the Landlord \$11,215.36*. **(Less any payments made by the Tenant after this application was filed on March 5, 2024).** This amount represents the rent owing up to March 19, 2024 and the cost of filing the previous application, less the rent deposit and interest the Landlord owes on the rent deposit.
6. The Tenant shall also pay to the Landlord \$54.90 per day for compensation for the use of the unit starting March 20, 2024 to the date the Tenant moves out of the unit.
7. If the Tenant does not pay the Landlord the full amount owing on or before March 30, 2024, the Tenant will start to owe interest. This will be a simple interest calculated from March 31, 2024 at 7.00% annually on the balance outstanding.

March 19, 2024
Date Issued



Kimberly Parish
Member, Landlord and Tenant Board

15 Grosvenor Street, Ground Floor,
Toronto ON M7A 2G6

The Tenant has until March 29, 2024 to file a motion with the LTB to set aside the order under s. 78(9) of the Act. If the tenant files the motion by March 29, 2024 the order will be stayed and the LTB will schedule a hearing.

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 September 30, 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.

* Refer to the attached Summary of Calculations.

Summary of Calculation**Amount the Tenant must pay the Landlord:**

Reason for amount owing	Period	Amount
Amount owing from previous order	Up to January 31, 2024	\$10,181.30
New Arrears	February 1, 2024 to March 19, 2024	\$2,713.10
Less the rent deposit:		-\$1,670.00
Less the interest owing on the rent deposit	January 1, 2024 to March 19, 2024	-\$9.04
Plus daily compensation owing for each day of occupation starting March 20, 2024		\$54.90 (per day)
Total the Tenant must pay the Landlord:		\$11,215.36 +\$54.90 per day starting March 20, 2024



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

Citation: 1920/1944 Davisville Inc. v Lasalle, 2024 ONLTB 15788

Date: 2024-03-01

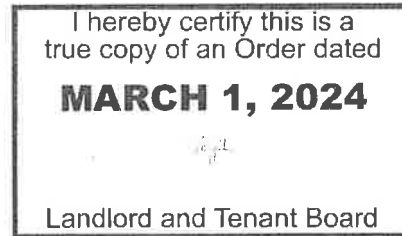
File Number: LTB-L-059160-23

In the matter of: 516, 1944 YONGE ST
TORONTO ON M4S3E5

Between: 1920/1944 Davisville Inc.

And

Robert Lasalle



Landlord

Tenant

1920/1944 Davisville Inc. (the 'Landlord') applied to the Landlord and Tenant Board (LTB) for an order to terminate the tenancy and evict Robert Lasalle (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on January 29, 2024.

The Landlord's agent Alethia Hall and the Tenant attended the hearing.

At the hearing, the parties engaged in mediation with hearing officer D. Knight. As a result of the resolution discussion, the parties reached a settlement of all issues arising from the Application for the period up to the date of the hearing.

The parties before the LTB consented to the following order:

It is ordered on consent that:

1. The Tenant shall pay to the Landlord \$10,181.30 for arrears of rent up to January 31, 2024, and the cost of filing the application.
2. The Tenant shall pay to the Landlord the amount set out in paragraph 1 in accordance with the following schedule:
 1. \$530.00 on or before February 26, 2024 *Not Paid*
 2. \$1,830.00 on or before the 20th of each month beginning March 20, 2024, to May 20, 2024
 3. \$4,161.30 on or before June 20, 2024.
3. The Tenant shall pay rent for February 2024 on or before February 12, 2024.

4. The Tenant shall also pay to the Landlord new rent on time and in full as it comes due and owing for the period from March 1, 2024, to June 1, 2024, or until the arrears are paid in full, whichever date is earliest.
5. 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 paragraph 1 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 and requiring that the Tenant pay any new arrears, NSF fees and related charges that became owing after January 31, 2024.

March 1, 2024
Date Issued



Dillanique Knight
Hearings 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.

*Rent -
March 1/2023 → Not Paid as of March 5th/24.*