



Order under Section 69 Residential Tenancies Act, 2006

Citation: Hapfield Developments O/B 1024049 Investments Limited v Sage, 2024 ONLTB 25793

Date: 2024-04-03

File Number: LTB-L-085806-23 & LTB-L-062383-23

In the matter of: Unit A, 229 Main Street South
Mount Forest ON N0G2L0

Between: Hapfield Developments O/B 1024049 Investments Limited Landlord

And

Alexis Sage

I hereby certify this is a true copy of an Order dated
April 3, 2024
Landlord and Tenant Board

Tenant

Hapfield Developments O/B 1024049 Investments Limited (the 'Landlord') filed an L1 application under the *Residential Tenancies Act, 2006 (the 'Act')* based on an N4 Notice of Termination for an order to terminate the tenancy and evict Alexis Sage (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

The Landlords also filed an L2 application under the Act based on an N5 Notice of Termination for an order to terminate the tenancy and evict the Tenant because, the Tenant, the Tenant's guest(s) or another occupant(s) of the rental unit substantially interfered with another tenant's or the Landlord's reasonable enjoyment of the residential complex, or interfered with another lawful right, privilege or interest of the Landlord or other tenants and/or because the Tenant, the Tenant's guest or another occupant(s) of the rental unit wilfully or negligently damaged the rental unit or the residential complex. The Landlord also claimed compensation for each day the Tenant remained in the unit after the termination date.

A hearing took place at the Landlord and Tenant Board on March 21, 2024, at 9:00 a.m. via video conference on VC line 116. The Landlord was represented by Patty Duwyn of Cohen Highley LLP, she was supported by Erin Coburn the Property Manager. The Tenant attended the hearing and was self-represented. The Tenant consulted with Tenant Duty Counsel prior to the hearing.

The parties mutually agreed to resolve all matters at issue in these applications and requested an order on consent. I was satisfied that the parties understood the consequences of their joint submission.

At the hearing, the parties consented to the following order.

It is ordered on consent that:

- 1) The parties agree that the total sum of arrears owing up to and including March 31, 2024, as of today's date of March 21, 2024, is \$5116.00 including the application filing fee of \$186.00 for the L1 application.
- 2) The parties agree that the total sum of damages owed by the Tenant to the Landlord is in the amount of \$702.39 including the application filing fee of \$186.00 for the L2 application.
- 3) The parties agree that the Tenant shall pay the total amount as noted in paragraphs 1 and 2 according to the date and amount of each payment as follows:

Amount to be paid	On or before	Reason for payment
Lawful rent (\$765.00)	April 1, 2024	April 2024 rent
\$5116.00	May 31, 2024	Rent Arrears
\$702.39	May 31, 2024	Damages

- 4) If the Tenant fails to make any of the payments in accordance with paragraph 3, and by the dates required, then the balance owing under paragraphs 1 and 2 of this order shall become payable on the day following the date of default. The monies owing shall bear interest at the post-judgment interest rate determined under subsection 207(7) of the Act.
- 5) The tenancy between the Landlord and the Tenant is terminated, as of May 31, 2024. The Tenants must move out of the rental unit on or before May 31, 2024.
- 6) The Landlord is holding a last month rent deposit collected on May 1, 2022, and it shall be applied to the rent for the month of May 2024.
- 7) The interest on the last month rent deposit was paid to the Tenant up to August 4, 2023.
- 8) The Tenant shall also pay to the Landlord \$25.15 per day for compensation for the use of the unit from June 1, 2024, to the date the Tenant moves out of the unit.
- 9) If the unit is not vacated on or before May 31, 2024, then starting June 1, 2024, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
- 10) 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 June 1, 2024.



April 3, 2024
Date Issued

Claude Mbuyi
Dispute Resolution Officer,
Landlord and Tenant Board

Toronto South-RO
15 Grosvenor Street, 1st 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.