



ORDER ISSUED ON CONSENT
UTILIZING SECTION 78
Order under Section 69
Residential Tenancies Act, 2006

File Number: SOL-19158-21

In the matter of: 1, 80 PALMER ROAD
HAMILTON ON L8T3E9

Between: Cornerstone Select Properties Landlord

and

Paul Taylor Tenant

Cornerstone Select Properties (the 'Landlord') applied for an order to terminate the tenancy and evict Paul Taylor (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on August 31, 2021. The Landlord's Legal Representative, V. Kocalev and the Tenant 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 Tenant has not paid the total rent the Tenant was required to pay for the period from December 1, 2020 to August 31, 2021. Because of the arrears, the Landlord served a Notice of Termination.
2. The Tenant is in possession of the rental unit.
3. The lawful monthly rent is \$1,850.00.
4. The Landlord collected a rent deposit of \$1,850.00 from the Tenant and this deposit is still being held by the Landlord.
5. Interest on the rent deposit is owing to the Tenant for the period from November 10, 2020 to August 31, 2021.
6. The parties agree that the amount outstanding to August 31, 2021, inclusive of rent arrears and costs is \$5,295.31.

On consent of the parties, it is ordered that:

- 1. The Tenant shall pay to the Landlord \$5,295.31, which represents the arrears of rent and costs outstanding for the period ending August 31, 2021.
- 2. The Landlord’s application for eviction of the Tenant is denied on the condition that:
 - (a) The Tenant shall make the following payments to the Landlord in respect of the monies owing under paragraph 1 of this order:

Date Payment Due	Amount of Payment
September 15, 2021	\$441.28 (costs and arrears)
October 15, 2021	\$441.28 (arrears)
November 15, 2021	\$441.28 (arrears)
December 15, 2021	\$441.28 (arrears)
January 15, 2022	\$441.28 (arrears)
February 15, 2022	\$441.28 (arrears)
March 15, 2022	\$441.28 (arrears)
April 15, 2022	\$441.27 (arrears)
May 15, 2022	\$441.27 (arrears)

June 15, 2022	\$441.27 (arrears)
July 15, 2022	\$441.27 (arrears)
August 15, 2022	\$441.27 (arrears)

(b) The Tenant shall also pay the Landlord the rent for the months of September 2021 up to and including August 2022 in full, on or before the first day of each corresponding month.

3. If the Tenant fails to make any of the payments in accordance with paragraph 2, and by the dates required, then:

(a) The Landlord may apply under section 78 of the *Residential Tenancies Act, 2006* (the 'Act') for an order terminating the tenancy and evicting the Tenant, and for the payment of any new arrears of rent and NSF charges not already ordered under paragraph 1 of this order. The Landlord must make the application within 30 days of a breach of a condition set out in paragraph 2 of this order.

(b) The balance owing under paragraph 1 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.

4. Before the Landlord files an application pursuant to paragraph 3(a), above, the Landlord will give the Tenant at least 7 days' notice.

5. The parties agree that payments by the Tenant are deemed to be paid on the date that the Tenant initiates the electronic transaction for payment.



Renée Lang
Member, Landlord and Tenant Board

September 21, 2021
Date Issued

Southern-RO
119 King Street West, 6th Floor
Hamilton ON L8P4Y7

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