



Apr 12 2023

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

File Numbers: LTB-L-053482-22 and LTB-L-008383-23

In the matter of: 256, 525 WILSON AVE
NORTH YORK ON M3H 0A7

Between: Lori Marzinotto and Vassili Spyropoulos Landlord

And

Gary Wagman Tenant

Lori Marzinotto and Vassili Spyropoulos (the 'Landlord') applied for an order to terminate the tenancy and evict Gary Wagman (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes; and because the Tenant has been persistently late in paying the Tenant's rent.

Mediation was held on March 30, 2023. The following participated in the mediation: The Landlord, Lori Marzinotto; and the Tenant, Gary Wagman along with his legal representative, Benjamin Mingo.

The parties agree that:


- 1) The Tenancy is terminated in a final way effective May 2, 2023.
- 2) The arrears to April 2, 2023 are \$8,557.50.
- 3) The Landlord is also seeking the \$186.00 application filing fee cost for each of the applications totaling \$372.00.
- 4) The lawful monthly rent is \$2,152.50. It is due on the 3rd day of each month.
- 5) Based on the Monthly rent, the daily rent/compensation is \$70.77. This amount is calculated as follows: \$2,152.50 x 12, divided by 365 days.
- 6) There is no last month's rent deposit held by the Landlord.

The parties also consented to the following order. I was satisfied that the parties understood the consequences of their consent.

On consent of the parties, it is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated. The Tenant shall vacate the unit on or before May 2, 2023.
2. If the unit is not vacated on or before May 2, 2023, then starting May 3, 2023, 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 May 3, 2023.
4. The Tenant shall pay the Landlord the sum of \$8,929.50. This sum represents the arrears of rent (\$8,557.50) and costs (\$372.00) for the period ending April 2, 2023.
5. The Tenant shall also pay the Landlord compensation of \$70.77 per day for the use of the unit starting April 3, 2023 until the date the Tenant moves out of the unit.
6. If the Tenant does not pay the full amount owing as noted in paragraphs 4 and 5 of this order by May 2, 2023, the Tenant will start to owe interest. This will be simple interest calculated from May 3, 2023 at 6.00% annually on the balance outstanding.

April 12, 2023
Date Issued


Stephan Kozak
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.

In accordance with section 81 of the Act, the part of this order relating to the eviction expires on November 3, 2023 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.