



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

**Citation:** 5013049 Ont. Ltd v Thomas, 2023 ONLTB 76610

**Date:** 2023-11-22

**File Number:** LTB-L-030005-23

**In the matter of:** 742 CEDAR ST  
NORTH BAY ON P1B6P6

**Between:** 5013049 Ont. Ltd

**Landlord**

**and**

Amanda Thomas

**Tenant**

5013049 Ont. Ltd (the 'Landlord') applied to the LTB for an order to terminate the tenancy and evict Amanda Thomas (the 'Tenant') because the Tenant has been persistently late in paying the Tenant's rent.

The Landlord also claimed compensation for each day the Tenant remained in the unit after the termination date.

This application was heard by videoconference on November 14, 2023. Landlord Agent Heather Gibson and the Tenant were in attendance.

The parties reached a settlement and agreed to a Consent Order to resolve all issues in the Landlord's application. I was satisfied that the parties understood the terms of their consent as set out in the Order below. Specifically, I was satisfied that the Tenant understood the consequences of agreeing to make the monthly rent payments on time (including any that may become due prior to receiving this Order) failing which the Landlord could apply to the LTB for an eviction Order.

**Agreed Facts:**

1. The Tenant is in possession of the rental premises at the time of the hearing and the tenancy will continue provided the Tenant satisfies the terms of this order as set out below.
2. The monthly rent becomes due on the 1<sup>st</sup> day of each month. The rent is paid in full up to November 30, 2023. New monthly rent is \$1,037.30 effective September 1, 2023.
3. The \$186.00 application filing will be paid to the Landlord in four monthly installments, \$50.00 by November 23, 2023, December 23, 2023, January 23, 2024 and the remainder of \$36.00 by February 23, 2024.
4. The Tenant will pay, the **full monthly rent** that becomes due **on the 1<sup>st</sup> business day of each month** from December 2023, and for each month up to and including November 2024.

5. Section 78 of the RTA will apply if the Tenant does not make the payments as agreed in paragraph 4 above.

**On consent of the parties it is ordered that:**

- [1] The tenancy shall continue on the condition that the Tenant pays to the Landlord the full monthly rent that becomes due, commencing December 1, 2023, and continuing on **the 1<sup>st</sup> day of each month**, up to and including November 1, 2024.
- [2] Should the Tenant fail to make any of the payments in accordance with paragraph [1] by the dates required, then the Landlord may apply to the LTB under section 78 of the Residential Tenancies Act, **without notice to the Tenant**, for an Order terminating the tenancy and evicting the Tenant. The Landlord must make this application within 30 days of a breach of a condition set out in this Order.
- [3] The Tenant shall pay the Landlord \$186.00 for the application filing fee in four instalments as follows:
- a) \$50.00 by November 23, 2023;
  - b) \$50.00 by December 23, 2023;
  - c) \$50.00 by January 23, 2024;
  - d) \$36.00 by February 23, 2024.
- [4] In the event of non-payment of the application filing fee pursuant to paragraph [3] the outstanding balance to be paid by the Tenant, shall become payable, together with simple interest, calculated from the day after the default. The balance owing shall bear interest at the post-judgment rate determined under subsection 207(7) of the RTA.
- [5] Pursuant to the consent of the parties, the Landlord's application before the LTB is resolved.

**November 22, 2023**

DATE Issued

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



C. M. Landon, Hearing Officer,  
Landlord and Tenant Board

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