

**ONTARIO
SUPERIOR COURT OF JUSTICE**

Eviction

Reference File No.: LTB-L-012427-23

Between:

Order Date: 29-May-23

Additional Court Files:

NINA ZHAO

Landlord/Mortgagee

- and -

HEYDI JIRON MORALES RODRIGO TEIXEIRA FRAGOSO

Tenant/Mortgagor/Any
other occupant

NOTICE TO VACATE

TO: Tenant/Mortgagor/Any other occupant

I AM NOTIFYING YOU that by virtue of an order for vacant possession issued out of the:
LANDLORD AND TENANT BOARD

directed to me as sheriff to enforce, **I COMMAND YOU** to vacate the premises municipally
known as

80 CHARMAINE RD
WOODBIDGE, ON
L4L 1K2

MMM DD, YYYY

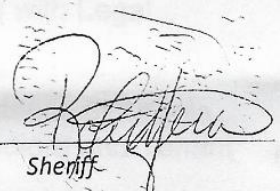
on or before **October 26, 2023**

at 08:30 a.m.

AND FURTHER TAKE NOTICE that if you fail to VACATE the premises as directed by the
above referenced order by the date shown, I will, without further notice to you, carry out the order
as directed.

DATED at **Newmarket, Ontario**

this **September 25, 2023**



Sheriff

PHONE: 905 853-4809

FAX:

The order is being executed pursuant to the instructions of:

NINA ZHAO

(647) 825-6858 EXT:

Landlord/Agent or Mortgagee/Agent



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

Citation: Nina Zhao v Rodrigo Teixeira Fragoso, 2023 ONLTB 39966

Date: 2023-05-29

File Number: LTB-L-012427-23 and LTB-L-079171-22

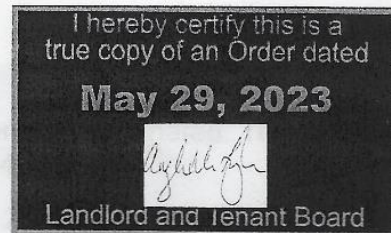
In the matter of: 80 CHARMAINE RD
WOODBIDGE ON L4L1K2

Between: Nina Zhao Landlord

And

Heydi Jiron Morales
Rodrigo Teixeira Fragoso

Tenants



Nina Zhao (the 'Landlord') applied for an order to terminate the tenancy and evict Heydi Jiron Morales and Rodrigo Teixeira Fragoso (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe (L1 application).

Nina Zhao (the 'Landlord') also applied for an order to terminate the tenancy and evict Heydi Jiron Morales and Rodrigo Teixeira Fragoso (the 'Tenants') because the Landlord in good faith requires possession of the rental unit for the purpose of residential occupation for at least one year. The Landlord also claimed compensation for each day the Tenants remained in the unit after the termination date (L2 application).

The L1 application was scheduled for an upcoming hearing on July 5, 2023. The L2 application was scheduled to be heard by videoconference on May 18, 2023. Both applications have been resolved and the L1 hearing has been cancelled.

The Landlord attended with Legal Representative, Yun Tao Li.

The Tenant, Heydi Jiron Morales, attended on behalf of both Tenants along with Legal Representative, Mode Alturki.

The parties elected to participate in LTB-facilitated mediation with the assistance of Angela McLaughlin, a Dispute Resolution Officer and Hearings Officer with the Landlord and Tenant Board.

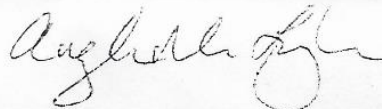
The parties agree:

1. This order resolves the L1 and the L2 applications.
2. The tenancy is terminated effective August 14, 2023.
3. The current monthly rent is \$3,490.00 and is due on the 15th of each month.

4. The Landlord waived the monthly rent for December 2022 to fulfil the compensation requirement under section 48.1 of the *Residential Tenancies Act, 2000*.
5. The Landlord waives the monthly rent for the rental periods January 15, 2023 to May 15, 2023.
6. The Landlord shall waive the application filing fees for both applications.
7. The Tenants will pay rent for June 2023 on or before June 15, 2023.
8. The Landlord is holding a last month's rent deposit which will be applied to the last month of the tenancy.

On consent, it is ordered that:

1. The L1 application is withdrawn.
2. The tenancy between the Landlord and the Tenants is terminated. The Tenants must move out of the rental unit on or before August 14, 2023.
3. If the unit is not vacated on or before August 14, 2023, then starting August 15, 2023, 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 August 15, 2023.
5. If the Tenants do not vacate the rental unit on or before August 14, 2023, the Tenants shall owe the Landlord \$114.74 per diem starting August 15, 2023 until the date the Tenants vacate the rental unit.
6. The Tenants shall pay to the Landlord the monthly rent for June 2023 on or before June 15, 2023.
7. If the Tenants fail to make the payment in accordance with paragraph 6 and by the date required, then the Landlords may apply under section 78 of the Act for an order terminating the tenancy and evicting the Tenants. The Landlord must make the application within 30 days of a breach of a condition set out in paragraph 6 of this order. This may result in the Board issuing an order that terminates the tenancy before August 14, 2023.



May 29, 2023
Date Issued

Angela McLaughlin
Hearings Officer, Landlord and Tenant Board

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

File Number: LTB-L-079171-22

If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3323.

In accordance with section 81 of the Act, the part of this order relating to the eviction of the Tenant expires on February 15, 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.

RECEIVED
ENFORCEMENT OFFICE

AUG 15 2023

REGIONAL MUNICIPALITY OF YORK