



I hereby certify this is a true copy of an Order dated
Jan 30, 2024
M. Mouskas
Landlord and Tenant Board

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

Citation: Deiab v Schmidt, 2024 ONLTB 6927

Date: 2024-01-30

File Number: LTB-L-051463-23

In the matter of: 173 WEST 32ND ST
Hamilton ON L9C5H1

Between: Ibrahim Deiab Landlord

And

Ian Schmidt and Ashley Schmidt Tenants

Ibrahim Deiab (the 'Landlord') applied for an order to terminate the tenancy and evict Ian Schmidt and Ashley Schmidt (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe, and the Tenants have been persistently late in paying the Tenants' rent.

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

This application was heard by videoconference on January 10, 2024.

The Landlord's Representative J. Brad Chudyk attended the hearing and the Tenant Ian Schmidt appeared on behalf of both Tenants.

The parties reached a consent agreement. I was satisfied that the parties understood the consequences of their consent and proceeded to issue an order based on the agreed upon terms.

The parties agreed that a payment was made by the Tenants in the amount of \$500.00 on June 10, 2023 which was not reflected in the L1 application. The application is amended to include that amount.

The parties agreed that the Tenants owe \$12,866.00 in arrears of rent and costs to the period ending January 31, 2024, which represents \$12,680.00 in arrears and the \$186.00 filing fee.

It is ordered on consent that:

L1 & L2 Applications:

1. The Tenants shall pay to the Landlord their lawful monthly rent on or before the 20th day of each month commencing February 20, 2024, and through to and including October 20, 2024.

2. The Tenants shall pay \$12,866.00 in total to the Landlord which represents \$12,680.00 in arrears of rent to the period ending January 31, 2024, plus the \$186.00 filing fee. This amount shall be paid to the Landlord according to the following schedule:
 - a) The Tenants shall pay to the Landlord \$500.00 on or before January 19, 2024.
 - b) The Tenants shall pay to the Landlord \$2,530.00 on or before January 20, 2024.
 - c) The Tenants shall pay to the Landlord \$500.00 on or before February 2, 2024.
 - d) The Tenants shall pay to the Landlord \$500.00 on or before February 16, 2024.
 - e) The Tenants shall pay to the Landlord \$500.00 on or before March 1, 2024.
 - f) The Tenants shall pay to the Landlord \$500.00 on or before March 15, 2024.
 - g) The Tenants shall pay to the Landlord \$500.00 on or before March 29, 2024.
 - h) The Tenants shall pay to the Landlord \$500.00 on or before April 12, 2024.
 - i) The Tenants shall pay to the Landlord \$500.00 on or before April 26, 2024.
 - j) The Tenants shall pay to the Landlord \$500.00 on or before May 10, 2024.
 - k) The Tenants shall pay to the Landlord \$500.00 on or before May 24, 2024.
 - l) The Tenants shall pay to the Landlord \$500.00 on or before June 7, 2024.
 - m) The Tenants shall pay to the Landlord \$500.00 on or before June 21, 2024.
 - n) The Tenants shall pay to the Landlord \$500.00 on or before July 5, 2024.
 - o) The Tenants shall pay to the Landlord \$500.00 on or before July 19, 2024.
 - p) The Tenants shall pay to the Landlord \$500.00 on or before August 2, 2024.
 - q) The Tenants shall pay to the Landlord \$500.00 on or before August 16, 2024.
 - r) The Tenants shall pay to the Landlord \$500.00 on or before August 30, 2024.
 - s) The Tenants shall pay to the Landlord \$500.00 on or before September 13, 2024.
 - t) The Tenants shall pay to the Landlord \$500.00 on or before September 27, 2024.
 - u) The Tenants shall pay to the Landlord \$500.00 on or before October 11, 2024.
 - v) The Tenants shall pay to the Landlord \$336.00 on or before October 25, 2024.
3. If the Tenants fail to comply with the conditions set out in paragraph 1 and 2 of this order, the Landlord may apply under section 78 of the Act for an order terminating the tenancy and evicting the Tenants, and for the payment of any new arrears of rent and NSF charges not already ordered under paragraph 2 of this order. The Landlord must make the application within 30 days of a breach of a condition set out in paragraphs 1 or 2. This application is made to the LTB without notice to the Tenants.
4. The balance owing under paragraph 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 of 7.00% annually on the balance outstanding.

January 30, 2024
Date Issued



Madeline Ntoukas
Member, Landlord and Tenant Board

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