



**SEPT 19 2023**

Landlord and Tenant Board

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

**Citation:** Obyavin v Deforest, 2023 ONLTB 62346

**Date:** 2023-09-19

**File Number:** LTB-L-050244-23

**In the matter of:** UNIT 1 UPPER FLOOR, 31 OAKWOOD  
AVE  
SIMCOE ON N3Y1H5

**Between:** Anna Obyavin and Gleb Obyavin Landlords

**And**

Jennifer Lynn Deforest and Kimberley Anne  
Bruce Tenants

Anna Obyavin and Gleb Obyavin (the 'Landlords') applied for an order to terminate the tenancy and evict Jennifer Lynn Deforest and Kimberley Anne Bruce (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe and because the Tenants were persistently late in paying the rent.

This application was heard by videoconference on September 6, 2023.

The Landlords, the Landlords' representative, B. Altun, the Tenants and the Tenants' representative, R. Walker, attended the hearing.

At the hearing the parties consented to the following order.

The parties also indicated that they had agreed that:

1. The Landlords forgive the rental arrears;
2. The unit is to be cleared of all personal items from the interior and exterior of the property, including the garage;
3. The cat is to be removed from the property; and
4. Enforcement shall be deferred until October 7, 2023 to allow the Tenants time to do the clearing set out above.

**On consent it is ordered that:**

1. The tenancy between the Landlords and the Tenants is terminated as of September 6, 2023.
2. As of the date of the hearing, the amount of the rent deposit and interest the Landlords owe on the rent deposit amount to \$1,571.84. This amount has been applied as a credit against the amount of rental arrears.

3. Rent arrears up to the September 6, 2023 termination date amount to \$13,300.68. See attached Schedule 1 for a summary of the calculations.
4. The Landlords shall not seek payment of the arrears.
5. The Tenant shall pay the Landlords \$186.00 for the Landlords' application filing fee on or before September 30, 2023, after which date the Tenants will start to owe interest. This will be simple interest calculated from October 1, 2023 at 6.00% annually on the balance outstanding.
6. If the unit is not vacated on or before October 6, 2023, then starting October 7, 2023, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
7. 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 October 7, 2023.

**September 19, 2023**  
**Date Issued**

*L Mitchell*

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Lynn Mitchell  
Member, 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 April 7, 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.

**Schedule 1**  
**SUMMARY OF CALCULATIONS**

**A. Amount the Tenant must pay if the tenancy is terminated**

Rent Owing To Hearing Date (\$14,272.84 to Aug 31 <sup>st</sup> plus 6 dys)	\$14,686.52
<b>Less</b> the amount the Tenant credited to the Tenant for Last Month's rent deposit and \$71.84 interest on that deposit)	- \$1,571.84
Total Rental Arrears	\$13,114.68
Application Filing Fee	\$186.00
<b>Total amount owing to the Landlord</b>	<b>\$13,300.68</b>