



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

Citation: Amiraco Properties Inc. v Emma Striker, 2023 ONLTB 42758

Date: 2023-06-08

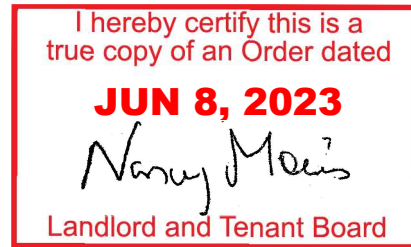
File Number: LTB-L-026538-22

In the matter of: 306, 8855 WYANDOTTE ST E
WINDSOR ON N8S1V1

Between: Amiraco Properties Inc.

And

Emma Striker



Landlord

Tenant

Amiraco Properties Inc. (the 'Landlord') applied for an order to terminate the tenancy and evict Emma Striker (the 'Tenant') because:

- the Tenant has been persistently late in paying the Tenant's rent.

The Landlord also applied for an order to terminate the tenancy and evict the Tenant because The Tenant did not pay the rent that the Tenant owes.

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 April 19, 2023.

Only the Landlord's agent, J. Lapkowski, attended the hearing.

As of 9:55 a.m., the Tenant was not present or represented at the hearing although properly served with notice of this hearing by the LTB. There was no record of a request to adjourn the hearing. As a result, the hearing proceeded with only the Landlord's evidence.

Determinations:

1. The Landlord's agent said that all the arrears and costs were paid by the Tenant to March 31, 2023. Consequently, the Landlord's L1 application is discontinued to March 31, 2023.
2. The Tenant has persistently failed to pay the rent on the date it was due. The rent is due on the first day of each month.
3. The Landlord requests an order for the Tenant to pay the rent on time.

4. I have considered all of the disclosed circumstances above in accordance with subsection 83(2) of the *Residential Tenancies Act, 2006* (the 'Act'), and find that it would not be unfair to grant relief from eviction subject to the conditions set out in this order pursuant to subsection 83(1)(a) and 204(1) of the Act.

It is ordered that:

1. The Landlord's L1 application is discontinued to March 31, 2023.
2. The tenancy between the Landlord and the Tenant continues if the Tenant meets the conditions set out below.
3. Commencing June 2023, and continuing each month up to and including May 2024, the Tenant shall pay the monthly rent, in full, no later than the first day of each of those months, respectively.
4. If the Tenant fails to comply with the conditions set out in paragraph 3 of this order, the Landlord may apply under section 78 of the *Residential Tenancies Act, 2006* (the 'Act') for an order terminating the tenancy and evicting the Tenant. The Landlord must make the application within 30 days of a breach of a condition. This application is made to the LTB without notice to the Tenant.
5. The Tenant shall also pay to the Landlord \$186.00 for the cost of filing the application on or before June 19, 2023.
6. If the Tenant does not pay the Landlord the full amount owing pursuant to paragraph 5 on or before June 19, 2023, the Tenant will start to owe interest. This will be simple interest calculated from June 20, 2023 at 6.00% annually on the balance outstanding.

June 8, 2023
Date Issued



Nancy Morris
Member, Landlord and Tenant Board

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