



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

**Citation:** Cleveland v Avery, 2024 ONLTB 22531

**Date:** 2024-03-28

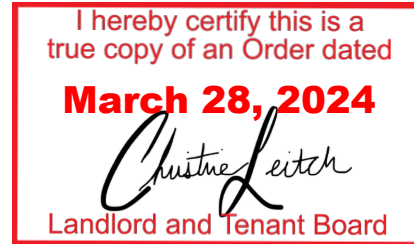
**File Number:** LTB-L-084717-23

**In the matter of:** 7 CORONA AVE  
KAPUSKASING ON P5N1P5

**Between:** Sarah Cleveland  
James Tooke

**And**

Holly Avery



Landlords

Tenant

Sarah Cleveland and James Tooke (the 'Landlords') applied for an order to terminate the tenancy and evict Holly Avery (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

The parties attended a hearing on March 20, 2024, the parties elected to participate in Board facilitated mediation with the assistance of Dispute Resolution Officer (DRO) Christine Leitch. The Landlords' Legal Representative, Jennifer Greenway and the Tenant, Holly Avery, participated in the mediation.

As a result of the mediation the parties requested a consent order and I am satisfied that the parties understand the consequences of their consent.

**The parties agree to the following:**

1. The Tenant will pay the outstanding water bills from the period of July 2023 up to and including January 2024.

**It is ordered on consent that:**

1. The Tenant shall pay to the Landlords \$16,381.00 for arrears of rent up to March 31, 2024 and costs.
2. The Tenant shall pay to the Landlords the amount set out in paragraph 1 on or before May 31, 2024
3. If the Tenant does not make the required payment in accordance with paragraph 2 of this order, the full amount owing under paragraph 1 of this order will immediately become due and owing to the Landlord and the Tenant will start to owe interest. This will be simple interest calculated from June 1, 2024 at 7.00% annually on the balance outstanding.

4. The tenancy between the Landlord and the Tenant is terminated. The Tenant must vacate the unit on or before April 15, 2024.
5. If the unit is not vacated on or before April 15, 2024, then starting April 16, 2024, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
6. 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 April 16, 2024

**March 28, 2024**  
**Date Issued**



---

Christine Leitch  
Hearings Officer, 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 of this order relating to the eviction expires on October 16, 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.