



**Amended Order under Section 78(11)
Residential Tenancies Act, 2006**

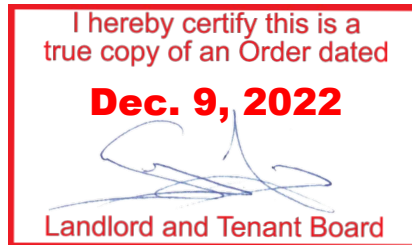
File Number: CEL-05082-22-SA-AM

In the matter of: 1905, 11 BOGERT AVENUE
TORONTO ON M2N0H4

Between: Jiacheng Dan

and

Daryanaz Shirinkam
Khalil Shirinkam
Zinat Falakverdi



Landlord

Tenants

This order amends a clerical error in the termination date of the order. This amendment has been highlighted below.

Jiacheng Dan (the 'Landlord') applied for an order to terminate the tenancy and evict Zinat Falakverdi, Daryanaz Shirinkam and Khalil Shirinkam (the 'Tenants') and for an order to have the Tenants pay the rent they owe because the Tenants failed to meet a condition specified in the order issued by the Board on May 20, 2022 with respect to application HOL-12368-21.

The Landlord's application was resolved by order CEL-05082-22, issued on September 2, 2022. The Tenants filed a motion to set aside order CEL-05082-22.

This motion was heard on November 16, 2022. The Landlord, represented by Jie Situ, and the Tenants, represented by Linda Millman, attended the hearing.

At the hearing the parties consented to the following order.

The parties also agree the Tenants owes the Landlord \$32,686.00 in arrears and costs up to November 28, 2022 and that there is no last month rent deposit.

The Landlord agrees that this debt will not be pursued if the Tenants vacate the rental unit and return the keys on or before 5:00pm, December 31, 2022 and pay the Landlord \$2,500.00 on or before November 29, 2022 as set out below.

The parties also agree that this is in full and final settlement of all issues that arose from the tenancy to the date of this hearing.

It is ordered that:

1. Order CEL-05082-22, issued on September 2, 2022, is set aside.

2. Order HOL-12368-21, issued on May 20, 2022 is cancelled and replaced with the following:
3. The tenancy between the Landlord and the Tenants is terminated, as of **December 31**, 2022. The Tenants must move out of the rental unit on or before **December 31**, 2022.
4. If the unit is not vacated on or before **December 31**, 2022, then starting January 1, 2023, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
5. 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 January 1, 2023.
6. The Tenants shall pay to the Landlord \$2,500.00 for rent for the period November 28 to December 29, 2022, on or before November 29, 2022, by way of e-transfer.
7. Should the Tenants fail to pay to the Landlord \$2,500.00 on or before November 29, 2022, the Tenants shall pay to the Landlord \$32,686.00 plus \$82.90 per diem for each day the Tenants occupy the rental unit commencing November 29, 2022.
8. Should the Tenants pay to the Landlord \$2,500.00 on or before November 29, 2022 and fail to vacate the rental unit on or before December 31, 2022, the Tenants shall pay to the Landlord \$32,686.00 plus \$82.90 for each day the Tenants occupy the rental unit commencing January 1, 2023 by certified cheque, no later than January 15, 2023,.
9. The Landlord has the right to collect any of the amounts owing at any time after January 15, 2023.



Greg Joy
Member, Landlord and Tenant Board

November 21, 2022
Date Issued

Amended: December 9, 2022

Central-RO
3 Robert Speck Pkwy, 5th Floor
Mississauga ON L4Z2G5

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 July 1, 2023 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.