



Jan 25 2023

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

File Number: LTB-L-028656-22

In the matter of: Basement, 2738 ST CLAIR AVE E
EAST YORK ON M4B 1M7

Between: Adeel Khan, Saif Khan and Taimoor Khan Landlord

And

Sandra Dunne and Stephen Duffy Tenant

Adeel Khan, Saif Khan and Taimoor Khan (the 'Landlord') applied for an order to terminate the tenancy and evict Sandra Dunne and Stephen Duffy (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

Mediation was held on January 18, 2023. The following participated in the mediation: The Landlord, Adeel Khan along with their legal representative, Arun Datta; and the Tenants' legal representative, Jennifer Drago.

The parties agree that:

- 1) The tenancy is terminated effective March 1, 2023.
- 2) In exchange for the termination date, the Landlord reduced the amount owing to the sum of \$11,000.00 to March 1, 2023. This settlement sum is net of the last month's rent deposit, any alleged security deposit as well as settlement of the issue regarding unpaid utilities to the end of the tenancy.
- 3) The current rent is \$1,500.00 per month. Based on the monthly rent, the daily compensation is \$49.32. This amount is calculated as follows: \$1,500.00 x 12, divided by 365 days.

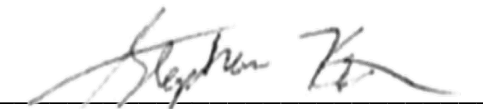
The parties also consented to the following order. I was satisfied that the parties understood the consequences of their consent.

On consent, it is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated. The Tenant must move out of the rental unit on or before March 1, 2023.
2. If the unit is not vacated on or before March 1, 2023, then starting March 2, 2023, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.

3. 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 March 2, 2023.
4. The Tenant shall pay to the Landlord \$11,000.00 on or before March 1, 2023.
5. If the unit is not vacated on or before March 1, 2023, the Tenant shall also pay to the Landlord \$49.32 per day for compensation for the use of the unit starting March 2, 2023 to the date the Tenant moves out of the unit.
6. If the Tenant does not pay the Landlord the full amount owing on or before March 1, 2023, the Tenant will start to owe interest. This will be simple interest calculated from March 2, 2023 at 5.00% annually on the balance outstanding.

January 25, 2023
Date Issued


Stephan Kozak
Hearing 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 part of this order relating to the eviction expires on September 2, 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.