



ORDER ISSUED ON CONSENT
UTILIZING SECTION 78
Order under Section 69
Residential Tenancies Act, 2006

File Number: HOL-11803-21

In the matter of: 43 CELADINE DRIVE
MARKHAM ON L3R2M3

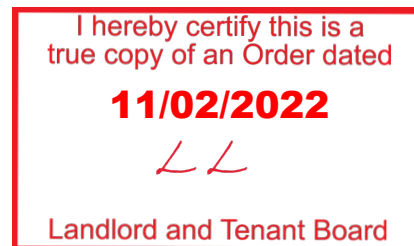
Between: Wei Xuan Zhang

Landlord

and

Charles Chessell
Sokunthea Path

Tenants



Wei Xuan Zhang (the 'Landlord') applied for an order to terminate the tenancy and evict Sokunthea Path and Charles Chessell (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe. The Landlord also claimed NSF cheque charges and related administration charges.

This application was heard by videoconference on November 30, 2021.

Yan Li appeared as the legal representative of the Landlord. Sokunthea Path appeared on behalf of both Tenants and was self-represented.

At the hearing, the parties consented to terms resolving the application. I was satisfied that the parties understood and agreed to the terms below.

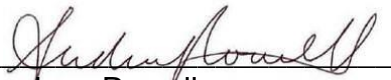
It is agreed that:

1. The Tenants have not paid \$11,750.00 of the total rent the Tenants were required to pay to the period ending December 22, 2021. Because of the arrears, the Landlord served a Notice of Termination.
2. The Tenants also owe the Landlord \$186.00 for the cost of filing the application.
3. The total amount owing is \$11,936.00 (\$11,750.00 + \$186.00).
4. The Landlord agrees to waive any outstanding NSF charges in consideration of issues raised by the Tenant under s.82 of the Act, relating to the carpet in the residential unit.
5. The waiving of the NSF fees resolves all issues relating to the carpet to the period ending January 22, 2022.

On consent, it is ordered that:

1. The Tenants shall pay the Landlord \$11,936.00 as follows:
 - A) \$3,650.00 on or before December 1, 2021.
 - B) \$1,000.00 on or before December 23, 2021.
 - C) \$736.00 on or before January 23, 2022.
 - D) \$655.00 on or before the 23rd day of each month commencing February 23, 2022 and concluding November 23, 2022.
2. The Tenants shall also pay the Landlord the monthly rent in full on or before the 23rd day of each month, commencing December 23, 2021 and concluding November 23, 2022.
3. If the Tenants fails to make any one of the payments in accordance with this order, the outstanding balance of any arrears of rent and costs to be paid by the Tenants to the Landlord pursuant to paragraph 1 of this order shall become immediately due and owing and the Landlord may, without notice to the Tenants apply to the Board pursuant to section 78 of the Act for an order terminating the tenancy and evicting the Tenants and requiring that the Tenants pay any new arrears, NSF fees and related charges that became owing after the hearing.
4. The Landlord will waive any outstanding NSF charges to the date of the hearing in consideration of issues raised by the Tenants under s.82 regarding the carpet in the residential unit.
5. The Tenant has been compensated for issues relating to the carpet in the residential unit to January 22, 2022.

February 11, 2022
Date Issued


Andrew Rowell
Hearing Officer, Landlord and Tenant Board

Head Office
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Toronto Ontario M5G2E5

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