



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

Citation: Nitin Rajkumar Golani v Jennifer Mcnorton, 2023 ONLTB 45365

Date: 2023-06-21

File Number: LTB-L-012175-23

In the matter of: BASEMENT UNIT, 1129 VALENTINE DR
CAMBRIDGE ON N3H2N9

Between: Monali Mukundray Jani
Nitin Rajkumar Golani

I hereby certify this is a
true copy of an Order dated
JUN 21, 2023
Landlord and Tenant Board

Landlords

And

Jennifer Mcnorton

Tenant

Monali Mukundray Jani and Nitin Rajkumar Golani (the 'Landlords') applied for an order to terminate the tenancy and evict Jennifer Mcnorton (the 'Tenant') because the Landlords in good faith require possession of the rental unit for the purpose of residential occupation for at least one year.

Mediation was held on June 12, 2023. The following parties participated in the mediation: The Landlords' representative, Berkan Altun, the Landlords, Monali Mukundray Jani and Nitin Rajkumar Golani, the Tenant's representative, Barrett Beaudoin and the Tenant, Jennifer Mcnorton.

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

Agreed facts:

1. The current rent is \$1,555.95 per month as of June 1, 2023.
2. The Tenant was paid compensation equal to one month's rent as required by the *Residential Tenancies Act, 2006*, by the Landlords on February 5, 2023, via e-transfer.
3. The Landlords collected a rent deposit of \$1,500.00 from the Tenant and this deposit is still being held by the Landlords. The rent deposit will be applied to the month of August 2023, which is the last month of the tenancy.
4. The Landlords have not paid the Tenant interest on the rent deposit at any point during the tenancy.
5. The Landlords will pay the Tenant interest on the rent deposit in the amount of \$55.95. This amount will be applied to the balance of rent owing for the last month of the tenancy along with the rent deposit.
6. The Landlords agree to waive the rent that will come due and owing for the month of July, 2023.

7. The Landlords will pay the Tenant additional compensation in the amount of \$1,555.95.
8. If the Tenant decides to vacate the rental unit prior to the termination date, all outstanding entitlements as per this order including the rent deposit will be prorated and paid the Tenant.

It is ordered on consent that:

1. The tenancy between the Landlords and the Tenant is terminated. The Tenant must move out of the rental unit on or before August 31, 2023.
2. If the unit is not vacated on or before August 31, 2023, then starting September 1, 2023, the Landlords 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 Landlords on or after September 1, 2023.
4. If the unit is not vacated on or before August 31, 2023, the Tenant shall pay the Landlords compensation of \$51.15 per day ($\$1,555.95 \times 12 \text{ months}/365 \text{ days}$) for the use of the unit starting September 1, 2023, until to the date the Tenant moves out of the unit.
5. On or before June 12, 2023, the Landlords shall pay the Tenant the \$1,555.95, which represents additional compensation.
6. Should the Landlords fail to make the payment required in paragraph five (5) in in full and on time, the remaining outstanding balance shall become due and payable forthwith under this Order. The Landlords will start to owe simple interest calculated at 5.00% annually on the balance outstanding starting September 13, 2023. The Tenant has the right to collect the balance outstanding under this Order.
7. This Order on Consent is in full and final settlement the application.

June 21, 2023
Date Issued


Ryan Gacnik
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 part of this order relating to the eviction of the Tenant expires on January 3, 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.