



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

**Citation:** Rajan Khanna v Erica Holibanich, 2023 ONLTB 46918

**Date:** 2023-07-04

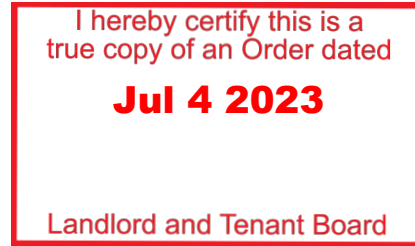
**File Number:** LTB-L-063503-22

**In the matter of:** Top Floor, 5042 SAINT CLAIR AVE  
NIAGARA FALLS ON L2E3T7

**Between:** Nitika Khanna and Rajan Khanna

**And**

Erica Holibanich



Landlord

Tenant

Nitika Khanna and Rajan Khanna (the 'Landlord') applied for an order to terminate the tenancy and evict Erica B Holi Banich and Grigg Mathew Michael William (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

Mediation was held on June 19, 2023. The following participated in the mediation: The Landlord, Nitika Khanna and Rajan Khanna along with their legal representative, Alvi Furaz; and the Tenant, Erica Holibanich.

**Agreed Facts:**

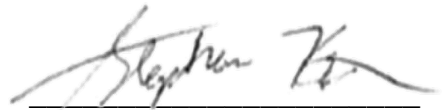
- 1) Grigg Mathew Michael William has been removed as a party from the application.
- 2) The correct spelling of the Tenant's last name is Holibanich.
- 3) Erica Holibanich vacated the unit on June 1, 2023.
- 4) The total amount owing by the Tenant to the Landlord is \$10,000.00, which represents rent arrears to June 1, 2023 (\$11,100.00) less the last month's rent deposit (\$1,100.00).
- 5) The Landlord is waiving the Tenant's outstanding utilities to the end of the tenancy and the \$186.00 application filing fee cost. This waiving of utilities and costs settles all issues between the parties to June 19, 2023, including, but not limited to, all Tenant maintenance or tenant rights issues.
- 6) The Landlord will not enforce the following order unless there is a breach in any of the payments set out in the order.

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

**On consent of the parties, it is ordered that:**

1. The Tenant shall pay to the Landlord \$10,000.00. This sum represents arrears owing to June 1, 2023 (\$11,100.00) less the last month's rent deposit (\$1,100.00).
2. The Tenant shall make the following payments to the Landlord in respect of the monies owing under paragraph 1 of this order as follows:
  - a) a minimum of \$200.00 per month on or before the 15<sup>th</sup> day of each month starting July 15, 2023 and continuing each month thereafter until the amount noted in paragraph 1 of this order is paid in full.
3. If the Tenant defaults on any of the payments noted in paragraph 2 of this order, the outstanding balance will become due and the Tenant will start to owe interest from the day following the date of default on the balance outstanding. The monies owing shall bear interest at the post-judgment interest rate determined under subsection 207(7) of the Act.
4. All issues between the parties are settled to the end of the tenancy.

**July 4, 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.