



Order under Section 69 and 9(2) Residential Tenancies Act, 2006


Citation: Passaperuma v Ebrahimi, 2023 ONLTB 56863

Date: 2023-08-18

File Number: LTB-L-079860-22<B-L-012037-23

In the matter of: Basement Unit Room 2, 282 Killian Rd
Toronto On L6A1A4

Between: Padmini Passaperuma
And
Hassan M M Ebrahimi

I hereby certify this is a
true copy of an Order dated
AUG 18, 2023

Landlord and Tenant Board

Landlord

Tenant

Padmini Passaperuma (the 'Landlord') applied for an order to determine whether the *Residential Tenancies Act, 2006* (the 'Act') applies.

Padmini Passaperuma (the 'Landlord') also applied for an order to terminate the tenancy and evict Hassan M M Ebrahimi (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

Padmini Passaperuma (the 'Landlord') also applied for an order to terminate the tenancy and evict Hassan M M Ebrahimi (the 'Tenant') because:

- the Tenant, another occupant of the rental unit or someone the Tenant permitted in the residential complex has substantially interfered with the reasonable enjoyment or lawful right, privilege or interest of the Landlord or another tenant.

These applications were heard by videoconference on August 9, 2023.

The Landlord Padmini Passaperuma and the Landlord's Legal Representative Rajan Mahavalirajan and the Tenant Hassan M M Ebrahimi and the Tenant's Legal Representative Naseer Ahmed attended the hearing.

At the hearing, the parties before the Board consented to the following order. I was satisfied the parties understood the consequences of the joint position.

On consent of the parties, 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 September 30, 2023.
2. If the unit is not vacated on or before September 30, 2023, then starting October 1, 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 October 1, 2023.
4. The Landlord shall waive all of the outstanding rent arrears.
5. The Tenant shall be permitted to use one parking space at the residential complex until the date the Tenant vacates the rental unit.
6. The Tenant shall leave the rental unit in a clean, undamaged and broom swept condition.
7. The Tenant shall provide the Landlord 24 hours notice prior to vacating the rental unit and the Tenant shall not inhibit or interfere with the Landlord conducting a final inspection of the rental unit after this 24 hours notice is provided.
8. The rent deposit being held by the Landlord shall be applied to the month of September 2023.
9. The Tenant shall withdraw their application under Board file number LTB-T-073520-22 as soon as is practicable.
10. This order resolves all issues in the tenancy to the date of the hearing.

August 18, 2023
Date Issued



John Cashmore
Member, 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 April 1, 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.