



April 24, 2023

Landlord and Tenant Board

Order under Section 21.1 of the
Statutory Powers Procedure Act
and the **Residential Tenancies Act, 2006**

Citation: Hemati v Popalzai, 2023 ONLTB 31470

Date: 2023-04-14

File Number: LTB-L-066951-22-IN

In the matter of: 85 FIRWOOD DR
RICHMOND HILL ON L4S0E8

Between: Gelanaz Hemati Landlord

And

Aris Popalzai\n Aymal Barak\n Simin Popalzai Tenant

Gelanaz Hemati (the 'Landlord') applied for an order to terminate the tenancy and evict Aris Popalzai, Aymal Barak and Simin Popalzai (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

As well the Landlord applied for an order to terminate the tenancy and evict because the Tenant, another occupant of the rental unit or someone the Tenant permitted in the residential complex has wilfully or negligently caused damage to the premises. The Landlord also claimed compensation for each day the Tenant remained in the unit after the termination date.

It is determined that:

1. This application was heard by videoconference on April 5, 2023.
2. The Landlord, the Landlord's Representative, Christopher Williams, and the Tenant's Legal Representative, Kimberly Farrell, attended the hearing, at which time the parties mutually requested an adjournment to give Kimberly Farrell an opportunity to prepare for the hearing based on Kimberly Farrell's uncontested statement that the Tenant only received the Notice of Hearing on the day before the hearing. As well, the parties consented to the following terms. I am satisfied that the Tenant understood the terms and voluntarily agreed to them.
3. I note that the Board file shows that the Notice of Hearing package was mailed to the Tenant on March 24, 2023.

It is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated effective January 31, 2023 on which date the Tenant vacated the rental unit.
2. The hearing is adjourned to the next available date.

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April 24, 2023
Date Issued

Sean Henry
Vice Chair, 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.