



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

**File Number:** LTB-L-019131-22

**In the matter of:** 23 ALAYNE CRES  
LONDON ON N6E 2A2

**Between:** Meenakshi Sudhakar Sah  
Sudhakar Sah

**And**

Lesley Yvonne Schmitt,  
Raymond Joseph Mathieu

I hereby certify this is a  
true copy of an Order dated  
**October 31, 2022**  
Landlord and Tenant Board

Landlords

Tenants

The parties agreed to remove the Tenants' minor son, Benton R Mathieu, as a Tenant to this application.

Meenakshi Sudhakar Sah and Sudhakar Sah (the 'Landlords') applied for an order to terminate the tenancy and evict Lesley Yvonne Schmitt and Raymond Joseph Mathieu (the 'Tenants') because the Tenant did not pay the rent that the Tenants owe.

This application was scheduled for a merits hearing, via video conference, on October 24, 2022 and was mediated by Susan Parsons, a Dispute Resolution Officer/Hearings Officer with the Landlord and Tenant Board. Both Tenants attended and consulted with Tenant Duty Counsel prior to mediation. Sudhakar Sah participated for the Landlords and was represented by Liam Walker.

The parties agreed to resolve the issues in the Landlords' application and requested the LTB to issue a Consent Order confirming their agreement.

I was satisfied that the parties understood the consequences of the Consent.

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

1. The tenancy between the Landlords and the Tenants is terminated. The Tenants must move out of the rental unit on or before December 31, 2022.
2. **If the unit is not vacated on or before December 31, 2022, then starting January 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 January 1, 2023.**

4. If the rental unit has not been vacated on or before December 31, 2022, the Landlords may also collect a per diem rate of \$82.19 (based on \$2 500.00 per month X 12 months / 365 days) for use of the unit starting January 1, 2023 to the day the Tenants vacate the unit.
5. The last month's rent deposit shall be applied to the period December 1 – 31, 2022.
6. The Tenants shall pay to the Landlords \$16 046.00, representing the rent arrears up to and including October 31, 2022 and the \$186.00 application filing fee.
7. The Tenants shall pay the amount owing, as per paragraph 6 above, and the monthly rent as it comes due as follows:
  - a. \$500.00 on October 24, 2022
  - b. November 2022 monthly rent on or before November 1, 2022
  - c. \$1 500.00 on or before December 1, 2022
  - d. Commencing January 20, 2023, the Tenants shall pay \$200.00 on or before the twentieth (20th) day of each and every month until the amount owing is paid in full.
8. If the Tenants fail to make any one of the payments in accordance with paragraphs 7 a), 7b) and/or 7c) above, the outstanding balance of any arrears of rent and costs to be paid by the Tenants to the Landlords pursuant to this Order shall become immediately due and owing and the Landlords 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.
9. If there is a breach in any payment as per paragraph 7 above, the balance becomes due and payable immediately and Simple Interest will be calculated (Courts of Justice Act) on any balance outstanding commencing the date following the breach

**October 31, 2022**  
**Date Issued**



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Susan Parsons  
Hearings Officer, Landlord and Tenant Board

15 Grosvenor Street, Ground Floor  
Toronto ON M7A 2G6

In accordance with Section 81 of the Act, the part of this Order relating to the eviction expires on July 1, 2023 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.

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