



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

Citation: 650581 Ontario Ltd v Okello, 2023 ONLTB 67657

Date: 2023-10-11

File Number: LTB-L-050356-23

In the matter of: 11, 2867 YONGE ST
TORONTO ON M4N2J5

Between: 650581 Ontario Ltd

Landlord

and

Sarah Okello

Tenant

650581 Ontario Ltd (the 'Landlord') applied to the Landlord and Tenant Board (LTB) for an order to terminate the tenancy and evict Sarah Okello (the 'Tenant') because the Tenant has been persistently late in paying the Tenant's rent. The Landlord also claimed compensation for each day the Tenant remained in the unit after the termination date.

The Landlord's application was mediated by videoconference on October 3, 2023. Landlord Representative Julian Bower and the Tenant attended the hearing.

In mediation, the parties reached a mutually satisfactory settlement of the Landlord's application and agreed to a Consent Order. I was satisfied that the parties understood the terms of their consent as set out in the Order below. Specifically, I was satisfied the Tenant understood the consequences of agreeing to the termination of their tenancy.

At the hearing, the parties agreed:

1. The Tenant was in possession of the rental premises at the time of the hearing. However, the parties agree this tenancy will terminate on November 30, 2023, with provisions for enforcement.
2. The monthly rent becomes due on the 1st day of the month. The current monthly rent of \$1,547.34 will increase to \$1,586.02 effective November 1, 2023.
3. The Landlord collected a last month's rent from the Tenant and this deposit will be applied in accordance with subsection 106(10) of the 'Act', to the rent for the rental period ending November 30, 2023.
4. If the Tenant fails to vacate by November 30, 2023, she will owe per diem/daily compensation starting December 1, 2023, and continuing each day until she vacates the premises. Based on the monthly rent, the daily compensation is \$52.14. This amount is calculated as follows: \$1,586.02 x 12, divided by 365 days.

On consent of the parties, it is ordered that:

- [1] The tenancy shall terminate on or before **November 30, 2023**. The Tenant must remove all belongings, leave the premises empty, in a broom-swept condition, return the keys, and vacate.
- [2] If the unit is not vacated by November 30, 2023, then starting December 1, 2023, the Landlord may file this Order with the Court Enforcement Office (Sheriff) so that eviction can 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 December 1, 2023.
- [4] If the Tenant does not move out of the rental unit and return vacant possession to the Landlord by November 30, 2023, then commencing December 1, 2023, the Tenant shall pay to the Landlord \$52.14 daily compensation for the unit each day to the date the Tenant moves out.
- [5] The Tenant shall pay \$186.00 to the Landlord for the application filing fee by November 30, 2023.
- [6] In the event of non-payment of the application filing fee pursuant to paragraph [5] the outstanding balance to be paid by the Tenant, shall become payable, together with simple interest, calculated from the day after the default. The balance owing shall bear interest at the post-judgment rate determined under subsection 207(7) of the RTA.
- [7] Pursuant to the consent of the parties, the Landlord's application before the LTB is resolved.

October 11, 2023

DATE Issued



**C. M. Landon, Hearing Officer,
Landlord and Tenant Board**

Toronto North-RO

47 Sheppard Avenue East, Suite 700, 7th Floor, Toronto ON M2N 5X5

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