



## **Order under Section 78(6) Residential Tenancies Act, 2006**

**Citation:** RPMS PROPERTY MANAGEMENT SERVICES INC. v GIANNACOS, 2023 ONLTB 20523

**Date:** 2023-02-14

**File Number:** LTB-L-053484-22

**In the matter of:** PH01, 77 HUNTLEY ST  
TORONTO ON M4Y2P3

**Between:** RPMS PROPERTY MANAGEMENT SERVICES INC. Landlord

**And**

NICKO GIANNACOS and OMAR FORREST Tenant

RPMS PROPERTY MANAGEMENT SERVICES INC. (the 'Landlord') applied for an order to terminate the tenancy and evict NICKO GIANNACOS and OMAR FORREST (the 'Tenant') and for an order to have the Tenant pay the rent they owe because the Tenant did not meet a condition specified in the order issued by the LTB on July 15, 2022 with respect to application LTB-L-001080-22.

This application was heard on February 8, 2023. The Landlord's legal representative Jason Paine, and the Tenant's legal representative Nicko Giamakos, attended the hearing.

At the hearing the parties consented to the following order.

The parties agree the Tenant owes the Landlord \$7,056.79 in arrears and costs to the end of February 2023. The parties also agree the lawful monthly rent is \$1,850.57.

**It is ordered that:**

1. Order LTB-L-053484-22 is set aside.
2. Order LTB-L-001080-22 issued on July 15, 2022 is set cancelled and replaced with the following:
3. The Tenant shall pay to the Landlord \$8,907.36 (representing arrears and costs to the end of February plus \$1,850.57 for March rent) on or before March 31, 2023.
4. Should the Tenant fail to make the above said payment in full and on time, the tenancy between the Landlord and the Tenant is terminated. The Tenant must move out of the rental unit on or before April 1, 2023.

5. If the unit is not vacated on or before April 1, 2023, then starting April 2, 2023, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
6. 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 April 2, 2023.
7. Should the Tenant fail to pay to the Landlord 8,907.36 on or before March 31, 2023, the Tenant shall pay to the Landlord \$7,101.92. This amount represents the rent owing up to March 31, 2023, less the rent deposit.
8. The Tenant shall also pay to the Landlord \$60.84 per day for compensation for the use of the unit starting April 1, 2023 to the date the Tenant moves out of the unit.
9. If the Tenant does not pay the Landlord the full amount owing on or before March 31, 2023, the Tenant will start to owe interest. This will be a simple interest calculated from April 1, 2023 at 5.00% annually on the balance outstanding.

2023 ONLTB 20523 (CanLII)

**February 14, 2023**

**Date Issued**

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Greg Joy  
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 October 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.

