



**AUG 12, 2022**

Landlord and Tenant Board

**Order under Section 206  
Residential Tenancies Act, 2006**

**Citation:** TONIK PROPERTIES v Tabon, 2022 ONLTB 3106

**Date:** 2022-08-12

**File Number:** LTB-L-037230-22

**In the matter of:** 2, 54 STANLEY ST  
KINGSTON ON K7K 1Y1

**Between:** TONIK PROPERTIES Landlord

**And**

Carter Weaver Tenants  
Chloey Tabon

TONIK PROPERTIES (the 'Landlord') applied for an order to terminate the tenancy and evict Carter Weaver and Chloey Tabon (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

The Landlord and the Tenants filed a written agreement with the Board on July 3, 2022 to resolve the Landlord's application.

**Determinations:**

1. The agreement reached by the Landlord and the Tenants resolves the Landlord's application.
2. The agreement has been signed by the Landlord and the Tenants.
3. The agreement was filed with the LTB before the hearing for the Landlord's application.
4. As a result of this order, no hearing will be held.

**Based on the parties' agreement, it is ordered that:**

1. The Tenants shall pay the Landlord \$3,395.60, which includes:
  - o \$3,209.60 for arrears owing up to June 30, 2022
  - o \$186.00 for the fee paid by the Landlord for filing the application
2. The Tenants shall pay the amount set out in paragraph 1 according to the following schedule:
  1. \$339.56 on or before June 20, 2022.
  2. \$339.56 on or before July 20, 2022.
  3. \$339.56 on or before August 20, 2022.

4. \$339.56 on or before September 20, 2022.
  5. \$339.56 on or before October 20, 2022.
  6. \$339.56 on or before November 20, 2022.
  7. \$339.56 on or before December 20, 2022.
  8. \$339.56 on or before January 20, 2023.
  9. \$339.56 on or before February 20, 2023.
  10. \$339.56 on or before March 20, 2023.
3. The Tenants shall also pay the Landlord the full rent on or before the first day of each month for the period from July 2022 up to and including March 2023 or until all arrears in paragraph 1 have been paid, whichever is sooner.
  4. CONSEQUENCES OF BREACH: If the Tenants do not make any of the payments required in paragraphs 2 or 3 in full and on time:
    - o The Landlord may apply under section 78 of the *Residential Tenancies Act, 2006* (the 'Act') for an order terminating the tenancy and evicting the Tenant, and for the payment of any new arrears of rent and NSF charges not already ordered under paragraph 1 of this order. The Landlord must make the application within 30 days of a breach of condition set out in paragraph 2 or 3. This normally results in the LTB issuing an eviction order without a hearing being held.

**OR**

- o The Landlord may ask the LTB to reopen the application no later than 30 days after the Tenant's breach. This will result in a hearing at the LTB.
5. Either the Landlord or the Tenants can ask the LTB to reopen the application within 30 days of date this order is issued if they believe the other party forced them to enter into the agreement, or if the other party deliberately made false or misleading misrepresentations that had a material effect on the agreement and the order issued.



**August 12, 2022**  
Date Issued

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Supratip Mallick

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.