



Order under Section 69
Residential Tenancies Act, 2006

File Number: HOL-11997-21

In the matter of: 65 SKINNER ROAD
WATERDOWN ON L8B1X1

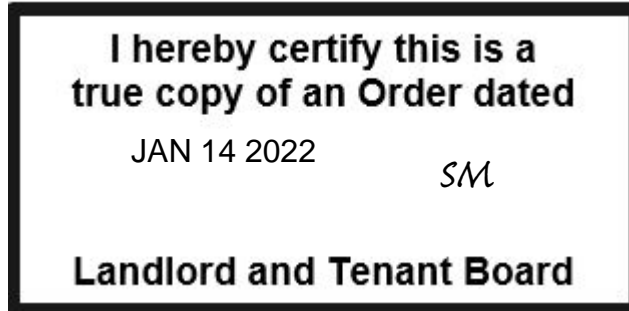
Between: Amr El-said
Njoud Rahmouni

Landlords

and

Jessica Middonti

Tenant



Amr El-said and Njoud Rahmouni (the 'Landlords') applied for an order to terminate the tenancy and evict Jessica Middonti (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes. The Landlords also claimed NSF cheque charges.

This application was heard by videoconference on January 11, 2022.

The Landlord, Njoud Rahmouni, the Landlord's Legal Representative, Joseph Behar, and the Tenant attended the hearing.

The parties mutually agreed to resolve all matters at issue in the application and requested an order on consent. I was satisfied that the parties understood the consequences of the joint submission.

At the hearing, the parties agreed:

1. The Tenant has not paid the total rent the Tenant was required to pay for the period from November 13, 2020 to January 12, 2022. Because of the arrears, the Landlords served a Notice of Termination effective September 7, 2021.
2. The Landlords incurred charges of \$28.00 for cheques tendered by or on behalf of the Tenant, which were returned NSF.
3. The Tenant is in possession of the rental unit.
4. The parties agree that the amount outstanding to January 31, 2022, inclusive of rent arrears (\$8,781.00), NSF charges (\$28.00) and costs (\$186.00), is \$8,995.00.

On consent of the parties, it is ordered that:

1. The Tenant shall pay to the Landlords \$8,995.00, which represents rent arrears (\$8,781.00), NSF charges (\$28.00) and costs (\$186.00) outstanding to January 31, 2022.
2. Commencing January 31, 2022, and on the last day of each month thereafter, the Tenant shall pay the lawful monthly rent on or before the last day of each corresponding month.
3. If the Tenant fails to make any of the payments in accordance with paragraph 2, and by the dates required, then:
 - (a) 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 a condition set out in paragraph 2 of this order.
 - (b) The balance owing under paragraph 1 of this order shall become payable on the day following the date of default. The monies owing shall bear interest at the post-judgment interest rate determined under subsection 207(7) of the Act.
4. Unless the Tenant voids the order as set out below, the tenancy between the Landlords and the Tenant is terminated. The Tenant must move out of the rental unit on or before May 20, 2022.
5. If the unit is not vacated on or before May 20, 2022, then starting May 21, 2022, the Landlords 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 Landlords, on or after May 21, 2022.
7. If the Tenant wishes to void this order and continue the tenancy, the Tenant must pay to the Landlords or to the Board in trust \$8,995.00 on or before May 20, 2022. If the Tenant does not make full payment in accordance with this paragraph and by the appropriate deadline, then the Landlords may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
8. The Tenant may make a motion to the Board under subsection 74(11) of the Act to set aside this order if they pay the amount required under that subsection on or after May 21, 2022 but before the Sheriff gives vacant possession to the Landlords. The Tenant is only entitled to make this motion once during the period of the tenancy agreement with the Landlords.

January 14, 2022
Date Issued



Khalid Akram
Member, Landlord and Tenant Board

Head Office
777 Bay Street, 12th Floor
Toronto Ontario M5G2E5

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 November 21, 2022 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.