



## Order under Section 69 Residential Tenancies Act, 2006

**Citation:** SID Management Inc. v Lemay, 2024 ONLTB 15726

**Date:** 2024-03-07

**File Number:** LTB-L-063468-23

**In the matter of:** 29 ALBERTA AVE  
SAULT STE. MARIE ON P6B2N6

**Between:** SID Management Inc.

**And**

Sandra Lemay

I hereby certify this is a  
true copy of an Order dated  
**MARCH 7, 2024**  
Landlord and Tenant Board

Landlord

Tenant

SID Management Inc. (the 'Landlord') applied to the Landlord and Tenant Board for an order to terminate the tenancy and evict Sandra Lemay (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on January 29, 2024.

The Landlord's representative Christine Stewart and the Tenant attended the hearing.

At the hearing, the parties engaged in mediation with hearing officer D. Knight. As a result of the resolution discussion, the parties reached a settlement of all issues arising from the Application for the period up to the date of the hearing.

The parties before the LTB consented to the following order:

### Agreed Facts:

1. The Landlord served the Tenant with a Notice to End Tenancy Early for Non-payment of Rent (N4 Notice). The Tenant did not void the notice by paying the amount of rent arrears owing by the termination date in the N4 Notice or before the date the application was filed.
2. As of the hearing date, the Tenant was still in possession of the rental unit.
3. The Tenancy shall terminate as of February 29, 2024.
4. The lawful rent is \$1,725.00. It is due on the 1st day of each month.
5. Based on the Monthly rent, the daily rent/compensation is \$56.71. This amount is calculated as follows: \$1,725.00 x 12, divided by 365 days.
6. The Tenant has not made any payments since the application was filed.
7. The rent arrears owing to January 31, 2024, are \$18,975.00.
8. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.

9. The Landlord collected a rent deposit of \$1,725.00 from the Tenant and this deposit is still being held by the Landlord. The rent deposit can only be applied to the last rental period of the tenancy if the tenancy is terminated.
10. The parties agree that the Landlord will give the Tenant a rent abatement in the amount of \$9,975.00. This shall be credited to the arrears, as such the arrears as of January 31, 2024, are \$9,000.00.
11. The parties agree that payments shall be done via e-transfer at payment@sidmanagement.ca

**It is ordered on consent that:**

1. The Tenancy between the Landlord and the Tenant is terminated as of February 29, 2024. The Tenant shall vacate the unit on or before February 29, 2024.
2. The last month rent deposit shall apply to the last month of the tenancy.
3. The Tenant shall pay the Landlord \$9,000.00 for arrears of rent to January 31, 2024, and the cost of filing the application.
4. The Tenant shall pay to the Landlord the amount set out in paragraph 3 in accordance with the following schedule:
  - \$100.00 on or before the 20<sup>th</sup> of each month beginning February 20, 2024, until the arrears are paid in full.
5. The Tenant shall also pay the Landlord compensation of \$56.71 per day for the use of the unit starting January 30, 2024, until the date the Tenant moves out of the unit.
6. If the unit is not vacated on or before February 29, 2024, then starting March 1, 2024, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
7. 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 March 1, 2024.

**March 7, 2024**  
**Date Issued**

  
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Dillanique Knight  
Hearings Officer, 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 September 1, 2024 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.