



**FEB. 15, 2023**

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

**Citation:** Goldmar Property Management v Mccracken, 2023 ONLTB 18984

**Date:** 2023-02-15

**File Number:** LTB-L-033726-22

**In the matter of:** UPPER, 520 CHURCH ST  
WINDSOR ON N9A4S9

**Between:** Goldmar Property Management Landlord

**And**

Alex Allaire and Lauren Mccracken Tenants

Goldmar Property Management (the 'Landlord') applied for an order to terminate the tenancy and evict Alex Allaire and Lauren Mccracken (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was heard by videoconference on January 31, 2023.

The Landlord's legal representative, Tim Currie, and the Tenants attended the hearing.


At the hearing, the parties requested the order below on consent. I am satisfied that the parties understood the term of the consent order.

**On consent, it is ordered that:**

1. The tenancy between the Landlord and the Tenants is terminated. The Tenants must move out of the rental unit on or before March 31, 2023.
2. If the unit is not vacated on or before March 31, 2023, then starting April 1, 2023, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may 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 April 1, 2023. The Tenants shall also pay the Landlord compensation of \$49.91 per day for the use of the unit starting February 1, 2023 until the date the Tenants move out of the unit.
4. The Tenants' last month's rent deposit shall be applied to the month of March 2023.
5. The Tenants shall pay to the Landlord \$9,423.00 for costs and arrears of rent and compensation up to February 28, 2023.
6. The Tenants shall pay to the Landlord \$3,000.00 of the amount set out in paragraph five by February 15, 2023.

7. If the Tenants fail to make the payment set out in paragraph six above, the outstanding balance of any arrears of rent and costs to be paid by the Tenants to the Landlord pursuant to paragraph five of this order shall become immediately due and owing and the Landlord may, without notice to the Tenants, apply to the LTB within 30 days of the Tenants' breach pursuant to section 78 of the Act for an order terminating the tenancy and evicting the Tenants and requiring that the Tenants pay any new arrears, NSF fees and related charges that became owing after February 28, 2023.
8. The Tenant shall pay the balance owing under paragraph five, i.e. \$6,423.00, to the Landlord on or before March 31, 2023. If the Tenants do not pay the full amount owing by this date, the Tenants will start to owe interest. This will be simple interest calculated from April 1, 2023 at 5.00% annually on the balance outstanding.

**February 15, 2023**  
**Date Issued**



Richard Ferriss  
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.