



Order under Section 69 Residential Tenancies Act, 2006

Citation: A.G.Secure Property Management Inc v Reynolds, 2024 ONLTB 23791

Date: 2024-04-08

File Number: LTB-L-086031-23

In the matter of: 4, 151 BRANT ST W
ORILLIA ON L3V3N8

Between: A.G.Secure Property Management Inc

Landlord

And

Owen Reynolds

Tenant



A.G.Secure Property Management Inc (the 'Landlord') applied for an order to terminate the tenancy and evict Owen Reynolds (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on March 25, 2024.

The Landlord, the Landlord's Legal Representative Nicole Fazzari, and the Tenant attended the hearing.

The parties mutually agreed to resolve all matters at issue in the L1 application and requested an order on consent. I am satisfied that the parties understood the consequences of the joint submission.

At the hearing, the parties consented to the following order.

Agreed facts:

1. The rent arrears owing to March 31, 2024 are \$7,251.68.

It is ordered on consent that:

1. The tenancy between the Landlord and the Tenant is terminated unless the Tenant voids this order.
2. **The Tenant may void this order and continue the tenancy by paying to the Landlord or to the LTB in trust:**
 - \$7,437.68 if the payment is made on or before March 31, 2024. This is the total amount of arrears owing plus the cost of filing the application; or

- \$8,769.68 if the payment is made on or before April 30, 2024. See Schedule 1 for the calculation of the amount owing.
3. The Tenant may also make a motion at the LTB to void this order under section 74(11) of the Act, if the Tenant has paid the full amount owing as ordered plus any additional rent that became due after April 30, 2024, but before the Court Enforcement Office (Sheriff) enforces the eviction. The Tenant may only make this motion once during the tenancy.
 4. **If the Tenant does not pay the amount required to void this order the Tenant must move out of the rental unit on or before April 30, 2024.**
 5. If the Tenant does not void the order, the Tenant shall pay to the Landlord \$5,868.98. This amount includes rent arrears owing up to the date of the hearing and the cost of filing the application. The rent deposit and interest the Landlord owes on the rent deposit are deducted from the amount owing by the Tenant. See Schedule 1 for the calculation of the amount owing.
 6. The Tenant shall also pay the Landlord compensation of \$43.79 per day for the use of the unit starting March 26, 2024, until the date the Tenant moves out of the unit.
 7. If the Tenant does not pay the Landlord the full amount owing on or before April 30, 2024, the Tenant will start to owe interest. This will be simple interest calculated from May 1, 2024 at 7.00% annually on the balance outstanding.
 8. If the unit is not vacated on or before April 30, 2024, then starting May 1, 2024, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
 9. 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 May 1, 2024.

April 8, 2024

Date Issued



Fotoula Hatzantonis
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 November 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.

Schedule 1
SUMMARY OF CALCULATIONS

A. Amount the Tenant must pay to void the eviction order and continue the tenancy if the payment is made on or before April 30, 2024

Rent Owing To April 30, 2024	\$8,583.68
Application Filing Fee	\$186.00
NSF Charges	\$0.00
Less the amount the Tenant paid to the Landlord since the application was filed	- \$0.00
Less the amount the Tenant paid into the LTB since the application was filed	- \$0.00
Less the amount the Landlord owes the Tenant for an{abatement/rebate}	- \$0.00
Less the amount of the credit that the Tenant is entitled to	- \$0.00
Total the Tenant must pay to continue the tenancy	\$8,769.68

B. Amount the Tenant must pay if the tenancy is terminated

Rent Owing To Hearing Date	\$7,014.43
Application Filing Fee	\$186.00
NSF Charges	\$0.00
Less the amount the Tenant paid to the Landlord since the application was filed	- \$0.00
Less the amount the Tenant paid into the LTB since the application was filed	- \$0.00
Less the amount of the last month's rent deposit	- \$1,332.00
Less the amount of the interest on the last month's rent deposit	- \$(0.55)
Less the amount the Landlord owes the Tenant for an {abatement/rebate}	- \$0.00
Less the amount of the credit that the Tenant is entitled to	- \$0.00
Total amount owing to the Landlord	\$5,868.98
Plus daily compensation owing for each day of occupation starting March 26, 2024	\$43.79 (per day)