



Order under Section 69 Residential Tenancies Act, 2006

Citation: Meddco Properties Inc. v Boyer, 2023 ONLTB 16713

Date: 2023-01-23

File Number: LTB-L-030132-22

In the matter of: 01, 2620 MEADOWBROOK LANE
WINDSOR ON N8T2Y2

Between: Meddco Properties Inc. Landlord

And

Kevin Boyer Tenant

Meddco Properties Inc. (the 'Landlord') applied for an order to terminate the tenancy and evict Kevin Boyer (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on January 19, 2023. The Landlord 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 Landlord served the Tenant with a valid 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 lawful rent is \$881.49.
4. The Tenant has paid \$7,170.00 to the Landlord since the application was filed.
5. The rent arrears owing to January 31, 2023, inclusive of costs of \$186.00 for filing the application are \$1,255.72.

On consent of the parties, it is ordered that:

1. The Tenant shall pay to the Landlord \$1,255.72, which represents the amount outstanding for the period ending January 31, 2023.
2. The Landlord's application for eviction of the Tenant is denied on the condition that:

- (a) The Tenant shall make the following payments to the Landlord in respect of the monies owing under paragraph 1 of this order:

Date Payment Due	Amount of Payment
For the period commencing February 15, 2023 and continuing to January 15, 2025	\$50.00 on the 15 th day of each consecutive month (costs and arrears)
On or before February 15, 2025	\$55.72 (arrears)

- (b) The Tenant shall also pay the Landlord the rent for the months of February 2023 up to and including February 2025 in full, on or before the first 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 Tenants, 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.

January 23, 2023
Date Issued

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 Member, Landlord and Tenant Board

15 Grosvenor Street, Ground Floor
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If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.