



**Order under Section 69
Residential Tenancies Act, 2006
Citation: Hassan Elmansy v Roxanne Rahim, 2023 ONLTB 34533**

File Number: LTB-L-064893-22
LTB-L-006041-23

In the matter of: 16, 525 NOVO STAR DR
MISSISSAUGA ON L5W 1X8

Between: Dalia Haggag
Hassan Elmansy

And

Aleema Rahim
Roxanne Rahim

I hereby certify this is a
true copy of an Order dated
May 2, 2023

Landlord and Tenant Board

Landlords

Tenants

Dalia Haggag and Hassan Elmansy (the 'Landlords') applied for an order to terminate the tenancy and evict Aleema Rahim and Roxanne Rahim (the 'Tenants') because the Landlord in good faith requires possession of the rental unit for the purpose of residential occupation for at least one year. This is an L2 application - LTB-L-064893-22.

The Landlords also applied for an order to terminate the tenancy and evict the Tenants because the Tenants did not pay the rent that the Tenants owe. This is an L1 application - LTB-L-006041-23

The Landlords also claimed compensation for each day the Tenant remained in the unit after the termination date.

The L2 application, LTB-L-064893-22, was scheduled for a merit hearing, via video conference, on April 20, 2023. The parties agreed that this would also address the L1 application, LTB-L-006041-23. These applications were mediated by Susan Parsons, a Dispute Resolution Officer/Hearings Officer with the Landlord and Tenant Board. The Tenants attended and consulted with Tenant Duty Counsel prior to mediation. Both Landlords participated and were represented by Brenda Guardado.

The parties agreed to resolve the issues in both of the Landlords' applications and requested the LTB to issue a Consent Order confirming their agreement.

I was satisfied that the parties understood the consequences of the Consent.

Agreed Facts:

- a) Statutory compensation for the N12 notice of termination, which was due to the Tenants pursuant to the provisions of the Residential Tenancies Act, has been applied to the monthly rent for October 2022.

b) There is no last month's rent on deposit.

On consent of the parties, it is ordered that:

1. The tenancy between the Landlords and the Tenants is terminated. The Tenants must move out of the rental unit on or before June 30, 2023.
2. If the unit is not vacated on or before June 30, 2023, then starting July 1, 2023, the Landlords 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 Landlords on or after July 1, 2023.
4. If the rental unit has not been vacated on or before June 30, 2023, the Landlords may also collect a per diem rate of \$98.63 (based on \$3 000.00 per month X 12 months / 365 days) for use of the unit starting July 1, 2023 to the day the Tenants vacate the unit.
5. The Landlords shall waive the application filing fee.
6. The Tenants shall pay to the Landlords \$18 000.00, representing the rent arrears up to and including April 30, 2023.
7. The Tenants shall pay the amount owing, as per paragraph 6 above, and the monthly rent as it comes due as follows:
 - a. On or before May 1, 2023, the Tenants shall pay the monthly rent plus \$3 000.00.
 - b. On or before June 1, 2023, the Tenants shall pay the monthly rent plus \$1 500.00.
 - c. If the Tenants fail to make any one of the payments in accordance with paragraph 7 a) and/or 7 b) above, the outstanding balance of any arrears of rent and costs to be paid by the Tenants to the Landlords pursuant to this Order shall become immediately due and owing and the Landlords may, without notice to the Tenants apply to the Board 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.
 - d. Commencing July 15, 2023, the Tenants shall pay \$1 000.00 on or before the fifteenth (15th) day of each and every month until the amount owing is paid in full.

- e. If there is a breach in any payment, the balance becomes due and payable immediately and Simple Interest will be calculated (Courts of Justice Act) on any balance outstanding commencing the date following the breach.

May 2, 2023
Date Issued



Susan Parsons
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 of the Tenant expires on January 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.