



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

**Citation:** *Tratnik v French*, 2023 ONLTB 48818

**Date:** 2023-07-07

**File Number:** LTB-L-081980-22

**In the matter of:** 2285 Durham Regional Road 13  
Sunderland ON L0C1H0

**Between:** Erich Tratnik  
Mitchell Tratnik

**And**

William French

I hereby certify this is a  
true copy of an Order dated  
**JULY 7, 2023**  
Landlord and Tenant Board

Landlords

Tenant

Erich Tratnik and Mitchell Tratnik (the 'Landlords') applied for an order to terminate the tenancy and evict William French (the 'Tenant') because:

- the Landlords in good faith requires possession of the rental unit for the purpose of residential occupation for at least one year.

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

This application was heard by videoconference on June 12, 2023.

The Landlords, the Landlord's representative Denise Ranger and the Tenant attended the hearing. The Tenant met with Duty Counsel prior to 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.

**Agreed Facts:**

1. The Tenancy shall terminate as of June 29, 2023, with enforcement provisions.
2. The Tenant was paid compensation equal to one month's rent as required by the *Residential Tenancies Act*, 2006.
3. Based on the Monthly rent, the daily compensation is \$72.33. This amount is calculated as follows: \$2,200.00 x 12, divided by 365 days.
4. The Tenant paid the Landlords \$2,200.00 for the last month rent deposit. It shall be applied to the last month of the Tenancy.
5. The Tenant is owed \$92.90 in interest on the last month rent deposit from February 3, 2020, to May 31, 2023. It shall be credited to outstanding arrears.

6. The Tenant acknowledges that there are arrears owing to the Landlord.
7. The Landlords acknowledges that the outstanding arrears supersedes the boards jurisdiction.
8. In exchange for the Tenants vacating the unit on June 29, 2023, the Landlords agree to waive \$35,440.00 of the outstanding arrears.

**It is ordered on consent that:**

1. The tenancy between the Landlord and the Tenant is terminated. The Tenant must move out of the rental unit on or before June 29, 2023.
2. The last month rent deposit shall apply to the rent for June 2023.
3. The Landlord shall waive \$35,440.00 in rental arrears provided the Tenant vacates the unit on or before June 29, 2023.
4. If the Tenant does not move out of the rental unit on or before June 29, 2023, The Landlords have the right to file an application for the full amount of arrears in the appropriate jurisdiction.
5. If the unit is not vacated on or before June 29, 2023, the Tenant shall also pay the Landlords compensation of \$72.33 per day for the unit starting June 30, 2023, until the date the Tenants moves out of the unit.
6. If the unit is not vacated on or before June 29, 2023, then starting June 30, 2023, the Landlords 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 Landlords on or after June 30, 2023.

**July 7, 2023**  
**Date Issued**

  
\_\_\_\_\_  
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 of the Tenant expires on December 31, 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.