



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

**Citation:** JDS Developments Ltd. v Mary Fielding, 2023 ONLTB 44132

**Date:** 2023-06-15

**File Number:** LTB-L-009167-23

**In the matter of:** 1583 PELISSIER ST  
WINDSOR ON N8X1M9

**Between:** JDS Developments Ltd. Landlord

**And**

Mary Fielding Tenant

JDS Developments Ltd. (the 'Landlord') applied for an order to terminate the tenancy and evict Mary Fielding (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on June 7, 2023.

The Landlord's legal representative, David Robins, and the Tenant's legal representative, Kristen Jarvis, attended the hearing.

The parties before the LTB consented to the following order:

### **Determinations:**

1. The Landlord and Tenant agreed that the Tenant will vacate the rental unit by June 9, 2023, and will remove all personal items and belongings from the rental unit, and leave the rental unit in a broom swept condition. The parties also agreed that the Tenant will place all garbage and recyclables in the appropriate bins.

### **It is ordered that:**

1. The tenancy between the Landlord and the Tenant is terminated by agreement on June 9, 2023.
2. The Tenant must move out of the rental unit on or before June 9, 2023
3. The rent arrears owing to June 9, 2023 are \$7,464.61. This amount includes rent arrears owing up to June 9, 2023 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.
4. The Tenant shall also pay the Landlord compensation of \$57.05 per day for the use of the unit starting June 10, 2023 until the date the Tenant moves out of the unit.

5. If the Tenant does not pay the Landlord the full amount owing on or before June 15, 2023, the Tenant will start to owe interest. This will be simple interest calculated from June 16, 2023 at 6.00% annually on the balance outstanding.
6. If the unit is not vacated on or before June 9, 2023, then starting June 10, 2023, the Landlord 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 Landlord on or after June 27, 2023.

**June 15, 2023**  
**Date Issued**

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Mark Melchers  
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 December 27, 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.