



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

Citation: Andrea Kintree v Gayle Carpenter, 2023 ONLTB 42917

Date: 2023-06-09

File Number: LTB-L-003140-23

In the matter of: 120 LORNE AVE
CHATHAM ON N7M1S1

Between: Andre a Kintree Landlord

And

Gayle Carpenter Tenant

Andrea Kintree (the 'Landlord') applied for an order to terminate the tenancy and evict Gayle Carpenter (the 'Tenant') because:

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

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

This application was scheduled to be heard by videoconference on June 1, 2023.

The Landlord attended with Legal Representative, Devon Wagenaar.

The Tenant attended with support person, Barbara Hill, and Tenant Duty Counsel, Kimberly Binder.

The parties elected to participate in LTB-facilitated mediation with the assistance of Angela McLaughlin, a Dispute Resolution Officer and Hearings Officer with the Landlord and Tenant Board.

The parties agree:

1. The tenancy is terminated effective January 31, 2024.
2. The Landlord is not holding a last month's rent deposit.
3. The current monthly rent is \$446.03.

4. The Landlord shall waive the application filing fee.
5. On or before June 8, 2023, the Landlord's Legal Representative will upload an amended declaration to the Tribunals Ontario Portal. The amended declaration will note that the rental unit will be the Landlord's primary residence for a period of at least one year.

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On consent, it is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated. The Tenant must move out of the rental unit on or before January 31, 2024.
2. If the unit is not vacated on or before January 31, 2024, then starting February 1, 2024, the Landlord 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 Landlord on or after February 1, 2024.
4. If the Tenant does not vacate the rental unit on or before January 31, 2024, the Tenant shall owe the Landlord \$14.66 starting February 1, 2024 until the date the Tenant vacates the rental unit.

June 9, 2023

Date Issued

Angela McLaughlin

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 August 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.

