



Order under Section 21.2 of the Statutory Powers Procedure Act and the Residential Tenancies Act, 2006

Citation: PARK PROPERTY MANAGEMENT INC. v Daniel W Sherrett, 2023 ONLTB 41806

Date: 2023-05-30 **File Number:**
LTB-L-046293-22-RV

In the matter of: 2015, 66 ISABELLA ST TORONTO
ON M4Y1N3

Between: PARK PROPERTY MANAGEMENT INC. Landlord

And

Daniel W Sherrett Tenant

Review Order

PARK PROPERTY MANAGEMENT INC. (the 'Landlord') applied for an order to terminate the tenancy and evict Daniel W Sherrett (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was resolved by order LTB-L-046293-22 issued on March 28, 2023.

On April 12, 2023, the Tenant requested a review of the order.

On April 13, 2023 interim order LTB-L-046293-22-RV-IN was issued, staying the order issued on March 28, 2023

This application was heard in by videoconference on May 3, 2023. The Landlord's legal agent, A. Sada, the Landlord's legal representatives, J. Williams, the Tenant and the Tenant's legal representative, B. Jowett, attended the hearing. I am satisfied the parties understood the consequences of the following joint submissions.

On consent, it is ordered that:

1. The request to review order LTB-L-046293-22 issued on March 28, 2023 is granted. The order is cancelled and replaced with the following:
2. The Tenant shall pay to the Landlord \$11,397.00, which represents the arrears of rent and the application filing fee ending May 31, 2023.

3. The Landlord's application for eviction of the Tenant is denied on the condition that:

(a) On or before May 5, 2023, the Tenant shall pay to the Landlord \$300.00.

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Commission de la location immobilière

(b) On or before 14 days from the date of this order, being June 13, 2023, the Tenant shall pay to the Landlord \$4,000.00.

(c) Commencing June 1, 2023 up to and including September 1, 2024, the Tenant shall pay to the Landlord \$300.00 on or before the first day of each corresponding month.

(d) Commencing July 20, 2023 up to and including November 20, 2023, the Tenant shall pay to the Landlord \$300.00 on or before the 20th day of each corresponding month.

(e) Commencing July 20, 2024 up to and including August 20, 2024, the Tenant shall pay to the Landlord \$300.00 on or before the 20th day of each corresponding month.

(f) On or before September 20, 2024, the Tenant shall pay to the Landlord \$197.00.

(g) Commencing June 1, 2023, the Tenant shall also pay the Landlord the lawful rent in full, on or before the first day of each corresponding month for which the Tenant is in the arrears described in paragraph 2.

4. If the Tenant fails to make any of the payments in accordance with paragraph 3, 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 Tenant, 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 3 of this order.

(b) The balance owing under paragraph 2 of this order shall become payable on the day following the date of default. The monies owing shall bear interest at the postjudgment interest rate determined under subsection 207(7) of the Act.

May 30, 2023

Date Issued

Camille Tancioco

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.

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