



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

Citation: Guyval Investments Inc c/o Realstar Management Partnership v Michael Potvin, 2023
ONLTB 38261

Date: 2023-05-18

File Number: LTB-L-065911-22

In the matter of: 104, 108 EDGEHILL DR BARRIE
ON L4N5A3

Between: Guyval Investments Inc c/o Realstar Management Partnership Landlord

And

Michael Potvin Tenant

Guyval Investments Inc c/o Realstar Management Partnership (the 'Landlord') applied for an order to terminate the tenancy and evict Michael Potvin (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on May 10, 2023.

The Landlord's Legal Representative, Faith McGregor and the Tenant attended the hearing.

The parties mutually agreed to resolve all matters at issue in the application and requested an order on consent. I was satisfied that the parties understood the consequences of the joint submission.

It is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated unless the Tenant voids this order.
2. **The Tenant may void this order and continue the tenancy by paying to the Landlord or to the LTB in trust:**
 - \$17,294.85 if the payment is made on or before May 31, 2023. See Schedule 1 for the calculation of the amount owing.

3. The Tenant may also make a motion at the LTB to void this order under section 74(11) of the Act, if the Tenant has paid the full amount owing as ordered plus any additional rent that became due after May 31, 2023 but before the Court Enforcement Office (Sheriff) enforces the eviction. The Tenant may only make this motion once during the tenancy.

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4. **If the Tenant does not pay the amount required to void this order the Tenant must move out of the rental unit on or before May 31, 2023**
5. If the Tenant does not void the order, the Tenant shall pay to the Landlord \$13,967.70. This amount includes rent arrears owing up to the date of the hearing 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. See Schedule 1 for the calculation of the amount owing.
6. The Tenant shall also pay the Landlord compensation of \$67.94 per day for the use of the unit starting May 11, 2023 until the date the Tenant moves out of the unit.
7. If the Tenant does not pay the Landlord the full amount owing on or before May 29, 2023, the Tenant will start to owe interest. This will be simple interest calculated from May 30, 2023 at 6.00% annually on the balance outstanding.
8. If the unit is not vacated on or before May 31, 2023, then starting June 1, 2023, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
9. 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 1, 2023.

May 18, 2023

Date Issued

Kathleen Wells

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 1, 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.

*Note: When the Board directs payment-out, the Canadian Imperial Bank of Commerce will issue a cheque to the appropriate party named in this notice. The cheque will be in the amount directed plus any interest accrued up to the date of the notice

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**Schedule 1
SUMMARY OF CALCULATIONS**

A. Amount the Tenant must pay to void the eviction order and continue the tenancy if the payment is made on or before May 31, 2023

Rent Owing To May 31, 2023	\$18,058.10
Application Filing Fee	\$186.00
Less the amount the Tenant paid to the Landlord since the application was filed	- \$949.25
Total the Tenant must pay to continue the tenancy	\$17,294.85

B. Amount the Tenant must pay if the tenancy is terminated

Rent Owing To Hearing Date	\$16,670.95
Application Filing Fee	\$186.00
Less the amount the Tenant paid to the Landlord since the application was filed	- \$949.25
Less the amount of the last month's rent deposit	- \$1,885.00
Less the amount of the interest on the last month's rent deposit	- \$55.00
Total amount owing to the Landlord	\$13,967.70
Plus daily compensation owing for each day of occupation starting May 11, 2023	\$67.94 (per day)