



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

Citation: An Ping v Ecem Kok, 2023 ONLTB 33785

Date: 2023-05-01

File Number: LTB-L-061691-22

In the matter of: SUITE 1910, 2200 LAKESHORE BLVD WEST
TORONTO ON M8V1A4

Between: An Ping Landlord

And

Ecem Kok Tenants
Hamdi Kaan Kok
Omer Hakan Kok

An Ping (the 'Landlord') applied for an order to terminate the tenancy and evict Ecem Kok, Hamdi Kaan Kok and Omer Hakan Kok (the 'Tenants') 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 Tenants remained in the unit after the termination date.

This application was heard by videoconference on April 18, 2023.

The Landlord's representative Jie Situ and the Tenant Omer Hakan Kok attended the hearing.

At the hearing, the parties engaged in mediation. As a result of the resolution discussion, the parties mutually agreed to resolve all matters in this application. They requested an order on consent.

I was satisfied the parties understood the terms and consequences of their consent

Determinations:

1. In October 2022, the Tenants were provided a compensation cheque equal to one month's rent as required by section 48.1 of the *Residential Tenancies Act, 2006*, however the cheque was not cashed and returned to the Landlord.
2. Accordingly, the Landlord will provide the required compensation equal to the rent (\$2,400) for one month by waiving the rent for May 2023.

3. There is a last month's rent deposit held by the Landlord.
4. In accordance with subsection 106(10) of the *Residential Tenancies Act, 2006*, the last month's rent deposit shall be applied to the last month of tenancy.

It is ordered that:

1. The tenancy between the Landlord and the Tenants is terminated. The Tenants must move out of the rental unit on or before June 30, 2024.
2. The required compensation under section 48.1 of the *Residential Tenancies Act, 2006*, shall be satisfied by the Landlord waiving the rent owing for the period of May 1, 2023, to May 30th, 2023
3. The landlord shall provide further compensation to the Tenants if the Tenants vacate the unit and provides the keys to the Landlord on or before June 30th, 2024, in the amount of \$2,400.00. This amount shall be paid to the tenant no later than 2 business days after the Tenants vacate.
4. If section 3 of this order is satisfied, and the Landlord fails to make the payment, the outstanding balance to be paid by the Landlord to the Tenants shall become payable on the day following the date of default. The monies owing shall bear interest at the post-judgement interest rate determined under subsection 207(7) of the *Residential Tenancies Act, 2006*.
5. If the unit is not vacated on or before June 30, 2024, then starting July 1, 2024, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
6. 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 July 1, 2024.
7. If the unit is not vacated on or before June 30, 2024, the Tenants shall also pay the Landlord compensation of \$78.90 per day for the use of the unit starting July 1, 2024, until the date the Tenants move out of the unit.

May 1, 2023
Date Issued

Paula West Oreskovich
Hearing 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 January 1, 2025, 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.