



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

Citation: 811970 Ontario Limited v Linda Deprato, 2023 ONLTB 32298

Date: 2023-04-26

File Number: LTB-L-007816-23

In the matter of: FARMHOUSE, 8240 BRITANNIA RD
MILTON ON L9E 0J2

Between: 811970 Ontario Limited Landlord

and

Linda Deprato Tenant

811970 Ontario Limited (the 'Landlord') applied for an order to terminate the tenancy and evict Linda Deprato (the 'Tenant') because the Landlord requires possession of the rental unit in order to demolish the unit.

The parties engaged in settlement discussions using the Tribunals Ontario Online Dispute Resolution tool. As a result of these discussions, the parties mutually agreed to resolve all matters at issue in the application and requested an order on consent. The Landlord's Legal Representative, Judith Callendar and the Tenant participated in the presentation of the consent details on April 12, 2023.

The parties agreed that:

1. The Landlord is holding a last month's rent deposit. It will be applied to the last month of the tenancy; May 2023.
2. The Tenant is not required to provide additional funds to top up the deposit, and the Landlord is not required to pay interest on the deposit.

It is ordered that:

1. The Landlord shall pay to the Tenant \$3,075.00 in guaranteed funds on or before April 30, 2023.

2. If the Landlord does not make the full payment, then the Landlord will start to owe interest. This will be simple interest calculated from May 1, 2023, at 6.0% annually on the balance outstanding.
3. The tenancy between the Landlord and the Tenant is terminated. The Tenant must move out of the rental unit on or before May 31, 2023.

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4. 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.
5. 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.
6. The terms contained in this order resolve all issues between the parties as they relate to this tenancy to date. Neither party shall file a claim against the other in any venue including under Section 57 of the RTA except to collect any money that may become owing as a result of this order.

April 26, 2023

Date Issued

Lindsay Phomin

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 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.

