



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

Citation: Blackbird Property Group v Charr Blinn, 2023 ONLTB 32353

Date: 2023-04-21

File Number: LTB-L-055849-22

In the matter of: #1, 1129 CANNON ST E
HAMILTON ON L8L2J7

Between: Blackbird Property Group Landlord

And

Charr Blinn Tenant

Blackbird Property Group (the 'Landlord') applied for an order to terminate the tenancy and evict Charr Blinn (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on April 12, 2023.

The Landlord's representative K. Hawkes and the Tenant attended the hearing. The Tenant declined to speak with tenant duty counsel prior to the hearing.

At the hearing, the parties consented to the following order.

Agreed Facts:

1. The Landlord shall apply the Tenant's last month's rent deposit - and interest owing on the last month's rent deposit - to May 2023 rent.
2. In the event the Tenant's last month's rent deposit - and interest owing on the last month's rent deposit - is greater than the monthly rent amount for May 31, 2023, the excess amount shall be deducted from the arrears owing in this order.
3. The Landlord agrees to waive the application filing fee, NSF charges and all rent arrears owing up to April 30, 2023, in the event the Tenant vacates the rental unit on or before May 31, 2023.

It is ordered that:

1. The Tenant shall pay to the Landlord the sum of \$8, 922.22 for the application filing fee, NSF charges and rent arrears owing up to April 30, 2023. If the Tenant does not pay the Landlord the full amount owing on or before May 31, 2023, the Tenant will start to owe

interest. This will be simple interest calculated from June 1, 2023 at 6.00% annually on the balance outstanding.

Order Page: 1 of 2

File Number: LTB-L-055849-22

2. The tenancy between the Landlord and the Tenant is terminated on May 31, 2023.
3. 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.
4. 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.

April 21, 2023

Date Issued

Peter Nicholson

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.

