



**Order under Section 206  
Residential Tenancies Act, 2006**

**Citation:** E. MANSON INVESTMENTS LIMITED v Garnier, 2023 ONLTB 31393

**Date:** 2023-04-17 **File**

**Number:** LTB-L-018551-23

**In the matter of:** 807, 310 NISKA RD  
NORTH YORK ON M3N2S3

**Between:** E. MANSON INVESTMENTS LIMITED

Landlord

**And**

Alexander Garnier  
Bibi Garnier

Tenants

E. MANSON INVESTMENTS LIMITED (the 'Landlord') applied for an order to terminate the tenancy and evict Alexander Garnier and Bibi Garnier (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

The Landlord and the Tenants filed a written agreement with the LTB on March 24, 2023, to resolve the Landlord's application.

**Determinations:**

1. The agreement reached by the Landlord and the Tenants resolves the Landlord's application.
2. The agreement has been signed by the Landlord and the Tenants.
3. The agreement was filed with the LTB before the hearing for the Landlord's application.
4. As a result of this order, no hearing will be held.

**Based on the parties' agreement, it is ordered that:**

1. The Tenants shall pay the Landlord \$2,986.00, which includes:

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- \$2,780.00 for arrears owing up to March 31, 2023. ○ \$186.00 for the fee paid by the Landlord for filing the application. ○ \$20.00 to reimburse the Landlord for administrative charges and bank fees the Landlord incurred as a result of 3 cheques given by or on behalf of the Tenants which were returned NSF.
2. The Tenants shall pay the amount set out in paragraph 1 according to the following schedule:
1. \$250.00 on or before the first of each month commencing April 15, 2023, and for the next 11 months up to and including February 15, 2024.
  2. \$236.00 on or before March 15, 2024.
  3. The Tenants shall also pay the Landlord the full rent on or before the first day of each month for the period from April 2023 up to and including March 2024 or until all arrears in paragraph 1 have been paid, whichever is sooner.
  4. **CONSEQUENCES OF BREACH:** If the Tenants do not make any of the payments required in paragraphs 2 or 3 in full and on time:
    - The Landlord may apply under section 78 of the *Residential Tenancies Act, 2006* (the 'Act') for an order terminating the tenancy and evicting the Tenants, 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 condition set out in paragraph 2 or 3. This normally results in the LTB issuing an eviction order without a hearing being held.

**OR**

- The Landlord may ask the LTB to reopen the application no later than 30 days after the Tenants breach. This will result in a hearing at the LTB.

5. Either the Landlord or the Tenants can ask the LTB to reopen the application within 30 days of date this order is issued if they believe the other party forced them to enter into the agreement, or if the other party deliberately made false or misleading misrepresentations that had a material effect on the agreement and the order issued.

**April 17, 2023**

**Date Issued**

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Camille Clyne

Member, Landlord and Tenants 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 1-888-3323234.