

3. As of the hearing date, the lawful rent is \$1,500.00. It is due on the 1st day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$49.32. This amount is calculated as follows: \$1,500.00 x 12, divided by 365 days.
5. As of the hearing date, the Tenant has paid \$6,500.00 to the Landlords since the application was filed.
6. The rent arrears owing to April 30, 2023 are \$28,100.00.
7. The Landlords incurred costs of \$201.00 for filing the application and is entitled to reimbursement of those costs.
8. There is no last month's rent deposit.

L2 Application

9. This is a monthly tenancy, and rent is due on the first day of each month. Based on the uncontested evidence before me, I am satisfied that the Tenants have been persistently late in paying the rent.

Section 83

10. I have considered all of the disclosed circumstances in accordance with subsection 83(2) of the Residential Tenancies Act, 2006 (the 'Act'), and find that it would not be unfair to grant relief from eviction pursuant to subsection 83(1) of the Act subject to conditions imposed under subsection 204(1) of the Act as requested by the Landlords at the hearing.

It is ordered that:

L1 Application

1. The tenancy between the Landlords and the Tenants is terminated unless the Tenants void this order.
2. The Tenants shall pay to the Landlords \$27,191.84, which represents the amount of rent owing and compensation up to April 12, 2023.
3. The Tenants shall also pay to the Landlords \$49.32 per day for compensation for the use of the unit starting April 13, 2023 to the date the Tenants move out of the unit.
4. The Tenants shall also pay to the Landlords \$201.00 for the cost of filing the application.
5. If the Tenants do not pay the Landlords the full amount owing* on or before April 23, 2023, the Tenants will start to owe interest. This will be simple interest calculated from April 24, 2023 at 6.00% annually on the balance outstanding.
6. If the unit is not vacated on or before April 23, 2023, then starting April 24, 2023, the Landlords may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.

7. Upon receipt of this order, the Court Enforcement Office (Sheriff) is directed to give vacant possession of the unit to the Landlords on or after April 24, 2023.
8. The Tenants may void this order and continue the tenancy by paying to the Landlords or to the LTB in trust:
 - \$23,801.00 if the payment is made on or before April 23, 2023. See Schedule 1 for the calculation of the amount owing.
9. The Tenants may also make a motion at the LTB to void this order under section 74(11) of the Act, if the Tenants have paid the full amount owing as ordered plus any additional rent that became due after April 23, 2023 but before the Court Enforcement Office (Sheriff) enforces the eviction. The Tenants may only make this motion once during the tenancy.
10. If the Tenants do not pay the amount required to void this order the Tenants must move out of the rental unit on or before April 23, 2023

L2 Application

11. In the event that the Tenants are able to void the L1 application portion of this order by making the payment required above, the Landlords' application to terminate the tenancy for persistently paying the rent late is denied, subject to the following conditions:
 - a) For a period of 12 consecutive months, from May 2023 to April 2024, the Tenants shall pay the lawful monthly rent to the Landlords in full on or before the first day of each month.
12. In the event that the Tenants fail to make any of the payments indicated in paragraph 9 of this order in full and on time, the Landlords shall be entitled to apply to the Board, no later than 30 days after a breach of this order, without notice to the Tenants, for an order terminating the tenancy and evicting the Tenants pursuant to Section 78 of the Act.

April 12, 2023

Date Issued

John Tzanis

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 October 24, 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.

Schedule 1

SUMMARY OF CALCULATIONS

A. Amount the Tenants must pay to void the eviction order and continue the tenancy if the payment is made on or before April 23, 2023

Rent Owing To April 30, 2023	\$30,100.00
Application Filing Fee	\$201.00
NSF Charges	\$0.00
Less the amount the Tenants paid to the Landlords since the application was filed	- \$6,500.00
Less the amount the Tenants paid into the LTB since the application was filed	- \$0.00
Less the amount the Landlords owes the Tenants for an{ abatement/rebate }	- \$0.00
Less the amount of the credit that the Tenants is entitled to	- \$0.00
Total the Tenants must pay to continue the tenancy	\$23,801.00

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

Arrears to April 12, 2023	\$27,191.84
Application Filing Fee	\$201.00
NSF Charges	\$0.00
Total amount owing to the Landlords	\$27,392.84
Plus daily compensation owing for each day of occupation starting April 13, 2023	\$49.32 (per day)