



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

**Citation:** Narasimhaish v Marina, 2023 ONLTB 30710

**Date:** 2023-04-11

**File Number:** LTB-L-050673-22

**In the matter of:** 29 WALLWARK ST  
AURORA ON L4G0J2

**Between:** Ajay Narayanan Landlords  
Shubha Karkada Narasimhaish

**And**

Igor Topchiy Tenants  
Romanova Marina

Ajay Narayanan and Shubha Karkada Narasimhaish (the 'Landlords') applied for an order to terminate the tenancy and evict Igor Topchiy and Romanova Marina (the 'Tenants') because:

- the Landlords have entered into an agreement of purchase and sale of the rental unit and the purchaser in good faith requires possession of the rental unit for the purpose of residential occupation.

The Landlords also claimed compensation for each day the Tenants remain in the unit after the termination date.

This application was heard by videoconference on April 3, 2023.

The Landlord's legal representative Carrie Aylwin, the Landlord Ajay Narayanan, the Tenant Romanova Marina, and the Tenant's interpreter Andre Chichkin attended the hearing.

At the hearing, the parties engaged in mediation. As a result of the resolution discussion, the parties requested and Order on Consent in full and final settlement of the application. I was satisfied all parties understood the consequences of their consent.

**The parties agree that:**

1. In September 2022, the Tenants were provided compensation equal to one month's rent as required by section 48.1 of the *Residential Tenancies Act, 2006*
2. There is a last month's rent deposit held by the Landlords.
3. The Tenants have a \$400.00 key deposit held by the Landlords.

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**It is ordered that:**

1. The tenancy between the Landlords and the Tenants is terminated. The Tenants must move out of the rental unit on or before June 30, 2023.
2. If the Tenants vacate and provide the rental unit keys to the Landlords on or before May 15, 2023, the Landlords shall pay the Tenants \$3,000.00.
3. If the Tenants vacate and provide the rental unit keys to the Landlords after May 15, 2023, but on or before May 30, 2023, the Landlords shall pay the Tenants \$1,500.00.
4. The Tenants have paid a key deposit in the amount of \$400.00. Upon providing vacant possession and returning the keys to the Landlords, the Landlords shall return \$400.00 to the Tenants.
5. In accordance with subsection 106(10) of the *Residential Tenancies Act, 2006*, (the 'Act') the last month's rent deposit shall be applied to the rent for the last month of the tenancy. If the Tenants vacate the rental unit prior to June 30, 2023, the Landlords shall return to the tenants the unused portion of the rent deposit. This amount shall be calculated as follows:  $\text{rent deposit} \times \frac{12}{365} \times \text{number of days prior to June 30, 2023 the Tenants vacate and provide the rental unit keys to the Landlords}$ .
6. If the unit is not vacated on or before June 30, 2023, then starting July 1, 2023, the Landlord 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 Landlord on or after July 1, 2023.
8. The Tenant shall also pay the Landlord compensation of \$67.40 per day for the use of the unit starting July 1, 2023, until the date the Tenant moves out of the unit.

**April 11, 2023**

Paula West Oreskovich

**Date Issued**

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 October 23, 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.