



**AMENDED ORDER**  
Order under Section 130  
**Residential Tenancies Act, 2006**  
**And section 21.1 of the Statutory Powers Procedure Act**

**Citation:** 1466613 Ontario Ltd v Ghraizi, 2023 ONLTB 28938

**Date:** 2023-03-27

**File Number:** LTB-L-042902-22-AM

**In the matter of:** 3, 1245 BIRCHMOUNT RD  
TORONTO ON M1P2C9

**Between:** 1466613 Ontario Ltd Landlord

**And**

Wassim Ghraizi Tenant

**This amended order is issued to correct a clerical error in the original order. The correction has been bolded and underlined for ease of reference.**

1466613 Ontario Ltd (the 'Landlord') applied for an order to terminate the tenancy and evict Wassim Ghraizi (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on February 28, 2023. Only the Landlord's legal representative, M.Bloch attended the hearing.

**Determinations:**

1. The Landlord served the Tenant with a valid Notice to End Tenancy Early for Non-payment of Rent (N4 Notice). The Tenant did not void the notice by paying the amount of rent arrears owing by the termination date in the N4 Notice or before the date the application was filed.
2. As of the hearing date, the Tenant was still in possession of the rental unit.
3. The lawful rent is \$1,600.00. It is due on the 1st day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$52.60. This amount is calculated as follows: \$1,600.00 x 12, divided by 365 days.
5. The Tenant has made payments totaling \$11,400.00 since the application was filed.
6. The rent arrears owing to February 28, 2023, and costs are \$6,466.00.
7. 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 subject to the conditions set out in this order pursuant to subsection 83(1)(a) and 204(1) of the Act.

8. At the hearing the Landlord’s representative presented email communications between them and the Tenant, whereby they consented to a payment plan which contained specific dates, amounts, informed the Tenant of section 78 of the Act, and informed the Tenant that they would be attending the hearing to put forth the communication at the hearing and seek the respective order. I am satisfied that had the parties both come before me at the hearing, the application would have been resolved in the same fashion. As such this order reflects the written agreement.

**It is ordered that:**

- 1. The Tenant shall pay to the Landlord \$6,466.00 for arrears of rent up to **February 28, 2023** and costs.
- 2. The Tenant shall pay to the Landlord the amount set out in paragraph 1 in accordance with the following schedule:
  - a) Commencing March 1, 2023, the Tenant shall pay \$400.00 on or before the 1<sup>st</sup> day of each month, for a period of 13 months (until **May** 1, 2024).
  - b) The Tenant shall pay \$466.00 on or before **June** 1, 2024.
- 3. The Tenant shall also pay to the Landlord new rent on time and in full as it comes due and owing for the period March 1, 2023 to **June** 1, 2024, or until the arrears are paid in full, whichever date is earliest.
- 4. If the Tenant fails to make any one of the payments in accordance with this order, the outstanding balance of any arrears of rent and costs to be paid by the Tenant to the Landlord pursuant to paragraph 1 of this order shall become immediately due and owing and the Landlord may, without notice to the Tenant, apply to the LTB within 30 days of the Tenant's breach pursuant to section 78 of the Act for an order terminating the tenancy and evicting the Tenant and requiring that the Tenant pay any new arrears, NSF fees and related charges that became owing after February 28, 2023.

**March 27, 2023**  
**Date Issued**

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Curtis Begg  
Member, Landlord and Tenant Board

**May 8, 2023**  
**Date Amended**

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.