



**Order under Sections 21.1 and 69
Residential Tenancies Act, 2006**

Citation: King v Wright, 2023 ONLTB 25751

Date: 2023-03-21 **File Number:**
LTB-L-032354-22-AM

In the matter of: 316, 5 ROWNTREE RD
ETOBICOKE ON M9V5G9

Between: Claudia Nicole Jacques Landlord
Kadiene Natoya King

And

Andrei Wright Tenant Donna Wright

AMENDED ORDER

Pursuant to a request received from the Landlord Representative the order has been amended to reflect the agreed upon vacate date as May 31, 2023 vice May 31, 2023. Deletions have been struck through and insertions have been bolded and underlined. The order is otherwise unchanged.

Claudia Nicole Jacques and Kadiene Natoya King (the 'Landlord') applied for an order to terminate the tenancy and evict Andrei Wright, Audley A.k.a Audrey Wright and Donna Wright (the 'Tenant') because:

- the Landlord in good faith requires possession of the rental unit for the purpose of residential occupation for at least one year.

The Landlord also claimed compensation for each day the Tenant remained in the unit after the termination date.

This application was heard by videoconference on March 7, 2023 at 09:00 am.

The Landlord Representative Maria Sturino and the Tenant Donna Wright attended the hearing.

The parties before the LTB consented to the following order:

It is ordered on consent that:

1. The tenancy is terminated effective May 31, ~~2023~~**2023**
2. If the Tenants intends to vacate the rental unit prior to the termination date they shall give the Landlord 5 days written notice prior to vacating.

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3. The Tenants shall continue to pay the rent in full and on time as it comes due on the first day of each month until they vacate the rental unit.
4. The rental unit shall be left in a broom swept condition prior to the Tenants vacating.
5. Upon vacating the rental unit, the Tenants shall arrange for the return of the keys.
6. If the Tenants vacate the rental unit in the middle of a rental period, the Landlord will reimburse the Tenants a prorated amount for the days left in the rental period.
7. The prorated amount shall be calculated at a daily rate of \$49.47. This is calculated as ($\$1505.00 \times 12/365 = \49.47).
8. If the Tenant fails to comply with the conditions set out in paragraphs 1-3 of this order, the Landlord may apply under section 78 of the *Residential Tenancies Act, 2006* (the 'Act') for an order terminating the tenancy and evicting the Tenant. The Landlord must make the application within 30 days of a breach of a condition. This application is made to the LTB without notice to the Tenant.

March 21, 2023

**Date Original Order
Issued**

Kelly Delaney

Member, Landlord and Tenant Board

March 29, 2023

**Date Amended Order
Issued**

Kelly Delaney

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 of the Tenant expires on October 2, 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.

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2023 ONL TB 25751 (CanLII)