



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

Citation: Zhang v Wagg, 2023 ONLTB 22659

Date: 2023-03-07

File Number: LTB-L-072133-22

In the matter of: Unit 1, 42 Waterloo Street
Kitchener ON N2H3T9

Between: Chi Zhang Landlords
Hanbing Li

And

Caitlin Wagg Tenants
Christopher Langlois

Chi Zhang and Hanbing Li (the 'Landlords') applied for an order to terminate the tenancy and evict Caitlin Wagg and Christopher Langlois (the 'Tenants') because:

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

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

The Parties reached an agreement and informed the Board through the Online Dispute Resolution (ODR) portal. The application was mediated by videoconference on February 10, 2023, by Janice Campbell, a Dispute Resolution Officer with the Landlord and Tenant Board.

The Landlord, Hanbing Li, and the Tenant's Representative, Rachel Stojni, attended the mediation.

The Parties requested an Order on Consent, in full and final satisfaction of the application and in resolution of all issues arising from the Tenancy, and in so doing, understand their legal right to a hearing on the merits of the matter have been waived.

I was satisfied that the terms of this agreement are consistent with the *Residential Tenancies Act, 2006*.

I was satisfied that the Parties have provided their informed, independent, and voluntary consent.

On consent it is agreed that:

1. All payments pursuant to this order will be made by e-transfer or certified cheque.

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2. The Landlords have paid the required compensation to the Tenants, in compliance with section 48.1 of the *Residential Tenancies Act, 2006*.

It is ordered that:

1. The Tenancy between the Landlords and the Tenants is terminated effective February 28, 2023. The Tenants must move out of the rental unit on or before February 28, 2023.
2. The Landlords shall pay the Tenants \$6,600.00 by February 28, 2023.
3. If the Tenants provide vacant possession of the unit to the Landlords anytime before February 28, 2023, the Landlords also shall pay to the Tenants a partial refund of rent for February, calculated on a per diem basis of \$36.16 per day. This payment is due and payable on the day the Tenants vacate the rental unit.
4. If the rental unit is not vacated by February 28, 2023, the Tenants shall pay the Landlords compensation of \$36.16 per day for the use of the unit, starting March 1, 2023, to the date the Tenants move out of the unit.
5. If the Landlords fail to make the payments in full and on time, the outstanding balance shall become due and payable immediately. The Landlords will start to owe simple interest calculated at 5% annually, on the outstanding balance, starting March 1, 2023, and the Tenants will have the right to collect the outstanding balance, plus interest owing, pursuant to this Order.
6. If the unit is not vacated on or before February 28, 2023, then starting March 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 March 1, 2023.

March 07, 2023
Date Issued

Janice Campbell
Hearing Officer, 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 September 1, 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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