



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

**Citation:** Deepwood Investments v Lee, 2023 ONLTB 22642

**Date:** 2023-03-03

**File Number:** LTB-L-037769-22

**In the matter of:** 401, 18 TINDER CRES  
NORTH YORK ON M4A1L4

**Between:** Deepwood Investments Landlord

**And**

Candace Lee Tenant

Deepwood Investments (the 'Landlord') applied for an order to terminate the tenancy and evict Candace Lee (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on February 14, 2023.

The Landlord's Representative M. Anderson and the Tenant attended the hearing.

The parties mutually agreed to resolve all matters at issue in the application and requested an order on consent. I was satisfied that the parties understood the consequences of the joint submission.

**At the hearing, the parties agreed:**

1. The Tenant is in possession of the rental unit.
2. The lawful rent is \$1,488.54. It is due on the 1st day of each month.
3. The Tenant made payments of \$2,000.00 since the application was filed.
4. The rent arrears owing to February 28, 2023, total \$16,927.03.
5. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
6. There is no deposit being held by the Landlord.
7. The parties agree that the amount outstanding to February 28, 2022, inclusive of rent arrears, and costs, is \$17,113.03

**On consent, it is ordered that:**

1. The Tenant shall pay the Landlord **\$17,113.03**, which represents the arrears of rent and costs outstanding for the period ending January 31, 2023.

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2. The Landlord's application for eviction of the Tenant is denied on the condition that:
  - (a) The Tenant shall make a payment of **\$500.00** on February 21, 2023.
  - (b) The Tenant shall make further payments as follows: March 15, 2023-**\$5,000.00**, March 21, 2023-**\$500.00**, March 31, 2023-**\$4,000.00**.
  - (c) The Tenant shall then pay installments of **\$650.00** on or before the 21st day of the month for the ten month period commencing April 21, 2023 to January 21, 2024.
  - (d) The remaining balance of **\$613.03** shall be paid on or before February 21, 2024.
  - (e) The Tenant shall pay the Landlord the rent for the month of March on March 2, 2023. Beginning with the rent for the month of April, the Tenant shall pay the Landlord the monthly rent for the months of April 2023 to February 2024 in full and by the first day of each corresponding month.
3. If the Tenant fails to make any of the payments in accordance with paragraph 2, and by the dates required then:
  - (a) 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 and for the payment of any new arrears of rent and NSF charges not already ordered under paragraph 1 of this order. The Landlord must make the application within 30 days of a breach of a condition set out in paragraph 2 of this order.
  - (b) The balance owing under paragraph 1 of this order shall become payable on the day following the date of default. The monies owing shall bear interest at the post-judgment interest rate determined under subsection 207(7) of the Act.

**March 3, 2023**

**Date Issued**

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William Greenberg

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.