



Order under Section 69 Residential Tenancies Act, 2006

Citation: Pateropoulos v Millington, 2023 ONLTB 20904

Date: 2023-02-28

File Number: LTB-L-030474-22

In the matter of: 197 DIVISION STREET
COBOURG ON K9A3P6

Between: Louie Pateropoulos Landlord

And

Nicolas Millington Tenants
Taitum Rosa

Louie Pateropoulos (the 'Landlord') applied for an order to terminate the tenancy and evict Nicolas Millington and Taitum Rosa (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was scheduled to be heard by videoconference on January 30, 2023.

The Landlord attended with Legal Representative, Leon Presner.

The Tenant, Taitum Rosa, attended on behalf of both Tenants and spoke with Tenant Duty Counsel prior to the mediation.

The parties elected to participate in LTB-facilitated mediation with the assistance of Angela McLaughlin, a Dispute Resolution Officer and Hearings Officer with the Landlord and Tenant Board.

The parties agree:

1. The lawful rent is \$1,600.00 and is due on the first of each month.
2. Based on the monthly rent, the daily compensation is \$52.60. This amount is calculated as follows: \$1,600.00 multiplied by 12 months, divided by 365 days.
3. The Tenants have not made any payments since the application was filed.
4. The rent arrears owing to January 31, 2023 are \$15,090.18.
5. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
6. The Landlord did not collect a rent deposit from the Tenants.

It is ordered that:

1. The tenancy between the Landlord and the Tenants is terminated unless the Tenants void this order.
2. **The Tenants may void this order and continue the tenancy by paying to the Landlord or to the LTB in trust:**
 - \$15,276.18 if the payment is made on or before January 31, 2023. See Schedule 1 for the calculation of the amount owing.
 - \$16,876.18 if the payment is made on or before February 28, 2023. See Schedule 1 for the calculation of the amount owing.
3. The Tenants may also make a motion at the LTB to void this order under section 74(11) of the Act, if the Tenants have paid the full amount owing as ordered plus any additional rent that became due after February 28, 2023 but before the Court Enforcement Office (Sheriff) enforces the eviction. The Tenants may only make this motion once during the tenancy.
4. **If the Tenants do not pay the amount required to void this order the Tenants must move out of the rental unit on or before February 28, 2023.**
5. If the Tenants do not void the order, the Tenants shall pay to the Landlord \$15,223.58. This amount includes rent arrears owing up to the date of the hearing and the cost of filing the application. See Schedule 1 for the calculation of the amount owing.
6. The Tenants shall also pay the Landlord compensation of \$52.60 per day for the use of the unit starting January 31, 2023 until the date the Tenants move out of the unit.
7. If the Tenants do not pay the Landlord the full amount owing on or before February 28, 2023, the Tenants will start to owe interest. This will be simple interest calculated from March 1, 2023 at 5.00% annually on the balance outstanding.
8. 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.
9. 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.

February 28, 2023
Date Issued

 Angela McLaughlin
 Hearings 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.

Schedule 1
SUMMARY OF CALCULATIONS

A. Amount the Tenants must pay to void the eviction order and continue the tenancy if the payment is made on or before January 31, 2023:

Rent Owing to January 31, 2023	\$15,090.18
Application Filing Fee	\$186.00
Total the Tenant must pay to continue the tenancy	\$15,276.18

B. Amount the Tenants must pay to void the eviction order and continue the tenancy if the payment is made on or before February 28, 2023:

Rent Owing to February 28, 2023	\$16,690.18
Application Filing Fee	\$186.00
Total the Tenant must pay to continue the tenancy	\$16,876.18

C. Amount the Tenants must pay if the tenancy is terminated:

Rent Owing to Hearing Date	\$15,037.58
Application Filing Fee	\$186.00
Total amount owing to the Landlord	\$15,223.58
Plus daily compensation owing for each day of occupation starting January 31, 2023	\$52.60 (per day)