



Order under Section 206 Residential Tenancies Act, 2006

Citation: Pizzi v Stolk, 2023 ONLTB 19998

Date: 2023-02-13

File Number: LTB-L-003232-23

In the matter of: 4697 THIRD AVE
NIAGARA FALLS ON L2E4L4

Between: Frank Pizzi
Linda Pizzi

Landlords

And

Michelle Stolk

Tenant

Frank Pizzi and Linda Pizzi (the 'Landlords') applied for an order to terminate the tenancy and evict Michelle Stolk (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

The Landlords and the Tenant filed a written agreement with the LTB on January 12, 2023 to resolve the Landlords' application.

Determinations:

1. The agreement reached by the Landlords and the Tenant resolves the Landlords' application.
2. The agreement has been signed by the Landlords and the Tenant.
3. The agreement was filed with the LTB before the hearing for the Landlords' application.
4. As a result of this order, no hearing will be held.

Based on the parties' agreement, it is ordered that:

1. The Tenant shall pay the Landlords \$1,981.00, which includes:
 - o \$1,795.00 for arrears owing up to January 31, 2023.
 - o \$186.00 for the fee paid by the Landlords for filing the application.
2. The Tenant shall pay the amount set out in paragraph 1 according to the following schedule:
 1. \$300.00 on or before February 20, 2023.

2023 ONLTB 19998 (CanLII)



2. \$300.00 on or before March 20, 2023.
 3. \$300.00 on or before April 20, 2023.
 4. \$300.00 on or before May 20, 2023.
 5. \$300.00 on or before June 20, 2023.
 6. \$300.00 on or before July 20, 2023.
 7. \$181.00 on or before August 20, 2023.
3. The Tenant shall also pay the Landlords the full rent on or before the **first** day of each **month** for the period from **February 2023** up to and including **August 2023** or until all arrears in paragraph 1 have been paid, whichever is sooner.
4. **CONSEQUENCES OF BREACH:** If the Tenant does not make any of the payments required in paragraphs 2 or 3 in full and on time:
- o The Landlords 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 Landlords must make the application within 30 days of a breach of condition set out in paragraph 2 or 3. This normally results in the LTB issuing an eviction order without a hearing being held.
- OR**
- o The Landlords may ask the LTB to reopen the application no later than 30 days after the Tenant's breach. This will result in a hearing at the LTB.
5. Either the Landlords or the Tenant can ask the LTB to reopen the application within 30 days of date this order is issued if they believe the other party forced them to enter into the agreement, or if the other party deliberately made false or misleading misrepresentations that had a material effect on the agreement and the order issued.

February 13, 2023
Date Issued

Ian Speers
Associate Chair, 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.