



Order under Section 206 Residential Tenancies Act, 2006

Citation: Baig v Gallant, 2023 ONLTB 19975

Date: 2023-02-13

File Number: LTB-L-065710-22

In the matter of: LOWER UNIT, 20 WEST 4TH ST
HAMILTON ON L9C3M3

Between: Tanveer Baig

Landlord

And

Christina Mlotschek
Craig Gallant

Tenants

Tanveer Baig (the 'Landlord') applied for an order to terminate the tenancy and evict Christina Mlotschek and Craig Gallant (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

The Landlord and the Tenants filed a written agreement with the LTB on January 12, 2023 to resolve the Landlord's application.

Determinations:

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

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

1. The Tenants shall pay the Landlord \$6,726.62, which includes:
 - o \$6,540.62 for arrears owing up to January 31, 2023.
 - o \$186.00 for the fee paid by the Landlord for filing the application.
2. The Tenants shall pay the amount set out in paragraph 1 according to the following schedule:

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1. \$654.38 on or before February 20, 2023.
 2. \$654.38 on or before March 20, 2023.
 3. \$654.38 on or before April 20, 2023.
 4. \$654.38 on or before May 20, 2023.
 5. \$654.38 on or before June 20, 2023.
 6. \$654.38 on or before July 20, 2023.
 7. \$654.38 on or before August 20, 2023.
 8. \$654.38 on or before September 20, 2023.
 9. \$654.38 on or before October 20, 2023.
 10. \$654.38 on or before November 20, 2023.
 11. \$182.82 on or before December 20, 2023.
3. The Tenants shall also pay the Landlord the full rent on or before the **first** day of each **month** for the period from **February 2023** up to and including **December 2023** or until all arrears in paragraph 1 have been paid, whichever is sooner.
4. CONSEQUENCES OF BREACH: If the Tenants do not make any of the payments required in paragraphs 2 or 3 in full and on time:
- 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 condition set out in paragraph 2 or 3. This normally results in the LTB issuing an eviction order without a hearing being held.
- OR**
- The Landlord may ask the LTB to reopen the application no later than 30 days after the Tenants' breach. This will result in a hearing at the LTB.
5. Either the Landlord or the Tenants 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

Camille Clyne
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.