



## Order under Section 69 Residential Tenancies Act, 2006

**Citation:** InterRent Holdings Manager LP v Witkowski, 2023 ONLTB 19790

**Date:** 2023-02-09

**File Number:** LTB-L-032389-22

**In the matter of:** 1234, 2757 BATTLEFORD RD  
MISSISSAUGA ON L5N3A8

**Between:** InterRent Holdings Manager LP Landlord

**And**

Roger Witkowski Tenant

InterRent Holdings Manager LP (the 'Landlord') applied for an order to terminate the tenancy and evict Roger Witkowski (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

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

Only the Landlord attended the hearing.

### Determinations:

1. An agreement reached by the Landlord and the Tenant prior to the hearing resolves the application. The Landlord provided an email copy of the agreement between the Landlord and the Tenant.
2. The Landlord and the Tenant agreed to remove Emilia Szulc

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

3. The total rent arrears owing to January 31, 2023 are \$14,976.24 includes the application fee.
1. The tenancy between the Landlord and the Tenant is terminated on March 31, 2023, unless the Tenant voids this order.
2. **The Tenant may void this order and continue the tenancy by paying to the Landlord or to the LTB in trust:**
  - \$16,619.60 if the payment is made on or before February 28, 2023. See Schedule 1 for the calculation of the amount owing.

**OR**

- \$18,262.96 if the payment is made on or before March 31, 2023. See Schedule 1 for the calculation of the amount owing.
3. The Tenant may also make a motion at the LTB to void this order under section 74(11) of the Act, if the Tenant has paid the full amount owing as ordered plus any additional rent that became due after March 31, 2023 but before the Court Enforcement Office (Sheriff) enforces the eviction. The Tenant may only make this motion once during the tenancy.
  4. **If the Tenant does not pay the amount required to void this order the Tenant must move out of the rental unit on or before March 31, 2023**
  5. If the Tenant does not void the order, the Tenant shall pay to the Landlord \$13,302.84. This amount includes rent arrears owing up to the date of the hearing and the cost of filing the application. The rent deposit and interest the Landlord owes on the rent deposit are deducted from the amount owing by the Tenant.
  6. The Tenant shall also pay the Landlord compensation of \$54.03 per day for the use of the unit starting January 31, 2023 until the date the Tenant moves out of the unit.
  7. If the Tenant does not pay the Landlord the full amount owing on or before February 20, 2023, the Tenant will start to owe interest. This will be simple interest calculated from February 21, 2023 at 5.00% annually on the balance outstanding.
  8. The Landlord or the Tenant shall pay to the other any sum of money that is owed as a result of this order.
  9. If the unit is not vacated on or before March 31, 2023, then starting April 1, 2023, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
  10. 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 April 1, 2023.

**February 9, 2023**

**Date Issued**

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Nicole Huneault

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.

In accordance with section 81 of the Act, the part of this order relating to the eviction expires on October 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.