



Order under Section 206 Residential Tenancies Act, 2006

Citation: Patel v Edwards, 2023 ONLTB 16975

Date: 2023-01-30

File Number: LTB-L-063567-22

In the matter of: 1062 FINCH DR
SARNIA ON N7S6A8

Between: Pramesh Patel
Snehalben Patel

Landlords

And

Alvis Edwards
Kelly Edwards

Tenants

Pramesh Patel and Snehalben Patel (the 'Landlords') applied for an order to terminate the tenancy and evict Alvis Edwards and Kelly Edwards (the 'Tenants') because the Tenants did not pay the rent that the Tenants owes.

The Landlords and the Tenants filed a written agreement with the LTB on December 21, 2022 to resolve the Landlords' application.

Determinations:

1. The agreement reached by the Landlords and the Tenants resolves the Landlords' application.
2. The agreement has been signed by the Landlords and the Tenants.
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 Tenants shall pay the Landlords \$3,186.00, which includes:
 - o \$3,000.00 for arrears owing up to December 31, 2022.
 - o \$186.00 for the fee paid by the Landlords for filing the application.
2. The Tenants shall pay the amount set out in paragraph 1 according to the following schedule:

2023 ONLTB 16975 (CanLII)



1. \$531.00 on or before January 15, 2023.
 2. \$531.00 on or before February 15, 2023.
 3. \$531.00 on or before March 15, 2023.
 4. \$531.00 on or before April 15, 2023.
 5. \$531.00 on or before May 15, 2023.
 6. \$531.00 on or before June 15, 2023.
3. The Tenants shall also pay the Landlords the full rent on or before the **first** day of each **month** for the period from **January 2023** up to and including **June 2023** or until all arrears in paragraph 1 have been paid, whichever is sooner.
4. **CONSEQUENCES OF BREACH:** If the Tenants 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 Tenants, 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 Tenants' breach. This will result in a hearing at the LTB.
5. Either the Landlords 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.

January 30, 2023
Date Issued

Ian Speers
Associate Chair, Landlord and Tenant Board

15 Grosvenor Street, Ground Floor
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If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.