



**Order under Section 69
Residential Tenancies Act, 2006**

Citation: Lin v Papp-samuels, 2023 ONLTB 14459

Date: 2023-01-11

File Number: LTB-L-024805-22

In the matter of: 109 SOUTH CREEK DR
Kitchener ON N2P0H2

Between: Fu-Ling Wang and Xu Lin Landlords

And

Ahmet Ibrahim and Chantel Papp-Samuels Tenants

Fu-ling Wang and Xu Lin (the 'Landlords') applied for an order to terminate the tenancy and evict Ahmet Ibrahim and Chantel Papp-Samuels(the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was heard by videoconference on January 4, 2023.

Only the Landlords attended the hearing.

Determinations:

1. The monthly rent is \$1,850.00, payable on the first day of each month.
2. The Landlords are holding a last month's rent deposit of \$1,850.00, on behalf of the Tenants.
3. The Tenants owe the Landlords arrears of \$7,400.00 to January 31, 2023.
4. The Tenants owe the Landlords the \$186.00 cost of filing the application.
5. The amount of arrears and costs owing to the Landlords to January 31, 2023, is \$7,586.00.
6. The Landlords said that the Tenants have agreed to pay off the entire amount of arrears in the next few weeks, and they would be able to pay \$5,736.00, by the end of January 2023.
7. I have considered the disclosed circumstances in accordance with subsection 83(2) of the *Residential Tenancies Act, 2006* (the 'Act'), and find that it would not be unfair to grant relief from eviction subject to the conditions set out in this order pursuant to subsection 83(1)(a) and 204(1) of the Act.

2023 ONLTB 14459 (CanLII)

It is ordered:

1. The Tenants shall pay to the Landlord \$7,586.00 for arrears of rent up to January 31, 2023, and costs.
2. The Tenants shall pay to the Landlord the amount set out in paragraph 1 in accordance with the following schedule:
 - (a) \$5,736.00 on or before January 29, 2023,
 - (b) \$1,850.00 on or before February 19, 2023.
3. The Tenants shall also pay to the Landlord the new rent on time and in full as it comes due and owing, no later than February 1, 2023.
4. If the Tenants fail to make any one of the payments in accordance with this order, the outstanding balance of any arrears of rent and costs to be paid by the Tenants to the Landlord pursuant to paragraph 1 of this order shall become immediately due and owing and the Landlord may, without notice to the Tenants, apply to the LTB within 30 days of the Tenant's breach pursuant to section 78 of the Act for an order terminating the tenancy and evicting the Tenants and requiring that the Tenants pay any new arrears, NSF fees and related charges that became owing after January 31, 2023.

January 11, 2023
Date Issued

Nancy Morris
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.