



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

Citation: Q RES IV OPERATING LP INC. v Davoudi, 2022 ONLTB 11305

Date: 2022-11-07

File Number: LTB-L-000571-22

In the matter of: 1116, 5900 YONGE ST
Toronto ON M2M3T8

Between: Q RES IV OPERATING LP INC. Landlord

And

Ali Sharifzadeh, Hedieh Davoudi Tenants

Q RES IV OPERATING LP INC. (the 'Landlord') applied for an order to terminate the tenancy and evict Ali Sharifzadeh, Hedieh Davoudi (the 'Tenants') because the Tenants have been persistently late in paying the Tenants' rent.

The Landlord also claimed compensation for each day the Tenants remained in the unit after the termination date.

This application was heard by videoconference on June 30, 2022.

Only the Landlord's Representative, Bryan Rubin attended the hearing.

As of 9:39 a.m., the Tenants were not present or represented at the hearing although properly served with notice of this hearing by the LTB. There was no record of a request to adjourn the hearing. As a result, the hearing proceeded with only the Landlord's evidence.

Determinations:

1. The Tenants were in possession of the rental unit on the date the application was filed.
2. The Tenants has persistently failed to pay the rent on the date it was due. The rent is due on the first day of each month.
3. The Tenants did not appear at the hearing to give evidence regarding their circumstances or to dispute the Landlord's application.
4. The Landlord's Representative requested a pay on time order requiring the Tenants pay the rent on time for a period of 12 months, failing which the Landlord can apply under section 78 of the Act for an order evicting the Tenant.
5. I have considered all of 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.

It is ordered that:

1. The tenancy between the Landlord and the Tenants continues if the Tenants meets the conditions set out below.
2. Commencing December 1, 2022 and for a period of 12 consecutive months (December 2022 to and including November 2023), the Tenants shall pay the monthly rent on or before the first day of each month.
3. If the Tenants fail to comply with the conditions set out in paragraph 2 of this order, the Landlord may apply under section 78 of the *Residential Tenancies Act, 2006* (the 'Act') for an order terminating the tenancy and evicting the Tenants. The Landlord must make the application within 30 days of a breach of a condition. This application is made to the LTB without notice to the Tenants.

November 7, 2022
Date Issued

Natalie James
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.

