



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

**File Number:** TSL-24557-21

**In the matter of:** BASEMENT ROOM 1, 42 SORAUREN AVENUE  
TORONTO ON M6R2C7

**Between:** Kreshnik Xhakolli Landlord

**and**

Allan Davidson Tenant

Kreshnik Xhakolli (the 'Landlord') applied for an order to terminate the tenancy and evict Allan Davidson (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on January 26, 2022. The Landlord and their Legal Representative Barrington Lue Sang and the Tenant and their Legal Representative, James Hill, attended the hearing.

The parties mutually agreed to resolve all matters at issue in the application and requested an order on consent. I was satisfied that the parties understood the consequences of the joint submission.

**On consent of the parties, it is ordered that:**

1. The Tenant shall pay to the Landlord \$5,086.00, which represents the arrears of rent (\$4,900.00), and costs (\$186.00) outstanding for the period ending January 31, 2022.
2. The Landlord's application for eviction of the Tenant is denied on the condition that:
  - The Tenant shall pay \$1,000.00 to the Landlord on or before the 18th of each month commencing on February 18, 2022, up to and including May 18, 2022.
  - The Tenant shall pay \$1,086.00 to the Landlord on or before June 18, 2022.
  - The Tenant shall also pay the Landlord the rent for the months of February 2022 up to and including June 2022 in full, on or before the first day of each corresponding month.
3. If the Tenant fails to make any of the payments in accordance with paragraph 2, and by the dates required, then:

- (a) 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 a condition set out in paragraph 2 of this order.
- (b) The balance owing under paragraph 1 of this order shall become payable on the day following the date of default. The monies owing shall bear interest at the post-judgment interest rate determined under subsection 207(7) of the Act.

**February 11, 2022**  
**Date Issued**



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Richard Ferriss  
Member, Landlord and Tenant Board

Toronto South-RO  
15 Grosvenor Street, 1st 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.