



Order under Section 69 Residential Tenancies Act, 2006

File Numbers: LTB-L-039283-24 and LTB-L-044016-24

In the matter of: BASEMENT, 325 DANIS AVE
CORNWALL ON K6H5E8

Between: Culanathan Bonniah

And

Mabel Marratt Godin
Wayne Godin



Landlord

Tenant

Culanathan Bonniah (the 'Landlord') applied for an order to terminate the tenancy and evict Mabel Marratt Godin and Wayne Godin (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

The Landlord also applied for an order to terminate the tenancy claiming that the Tenant or someone living with the Tenant has committed an illegal act or is carrying on an illegal business at the residential complex.

Mediation was held on August 28, 2024. The following participated in the mediation: The Landlord's legal representative, Lorrie McCullough along with Landlord agent, Kathryn Gingras; and the Tenant, Mabel Marratt Godin and Wayne Godin along with their legal representative, Amber Miller.

Agreed Facts:

- 1) The tenancy is terminated effective September 6, 2024
- 2) The lawful rent is \$1,450.00. It is due on the 1st day of each month. Based on the Monthly rent, the daily rent/compensation is \$47.67. This amount is calculated as follows: \$1,450.00 x 12, divided by 365 days.
- 3) The rent arrears to August 31, 2024 are \$8,700.00. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
- 4) The Landlord collected a rent deposit of \$1,450.00 from the Tenant.
- 5) The Landlord is waiving \$3,000.00 of the rent arrears. This sum includes the interest owing on the rental deposit to August 28, 2024.
- 6) The net amount of rent arrears owing to August 31, 2024, is \$4,436.00 (\$8,700.00 arrears, plus \$186.00 filing fee, less \$1,450.00 rent deposit, less the waiving of \$3,000.00 of the arrears equals \$4,436.00).


- 7) All issues between the parties related to the tenancy are settled to August 28, 2024.
- 8) The Landlord is withdrawing application file number LTB-L-044016-24.

The parties also consented to the following order. I was satisfied that the parties understood the consequences of their consent.

On consent, it is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated. The Tenant must vacate the unit on or before September 6, 2024.
2. If the unit is not vacated on or before September 6, 2024, then starting September 7, 2024, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
3. 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 September 7, 2024.
4. The Tenant shall pay to the Landlord \$4,436.00. This amount includes rent arrears owing up to August 31, 2024, plus the cost of filing the application, less the amount waived by the Landlord, less the rent deposit. See paragraph 6 of the Agreed Facts for a summary of the amounts.
5. The Tenant shall also pay the Landlord compensation of \$47.67 per day for the use of the unit starting September 1, 2024 until the date the Tenant moves out of the unit.
6. If the Tenant does not pay the Landlord the full amount owing on or before October 31, 2024, the Tenant will start to owe interest. This will be simple interest calculated from November 1, 2024 at 7.00% annually on the balance outstanding.
7. All issues between the parties related to the tenancy are settled to August 28, 2024.
8. Application file number LTB-L-044016-24 is withdrawn.

September 10, 2024
Date Issued


Stephan Kozak
Hearing Officer, 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 March 7, 2025 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.