



Mar 27, 2024

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

Citation: 1392924 Ontario Limited v Kiriia, 2024 ONLTB 21178

Date: 2024-03-27

File Number: LTB-L-014315-24

In the matter of: 2, 74 GARTHDALE CRT
NORTH YORK ON M3H5P9

Between: 1392924 Ontario Limited Landlord

And

Levan Kiriia Tenants
Irakli Kiriya

1392924 Ontario Limited (the 'Landlord') applied for an order to terminate the tenancy and evict Levan Kiriia and Irakli Kiriya (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

The parties reached a proposed resolution agreement, and/or requested mediation, and informed the Board through the Online Dispute Resolution (ODR) Portal.

This application was mediated by videoconference on March 15, 2024 by a Dispute Resolution Officer with the Landlord and Tenant Board.

The Landlord's Representative, Elina Vasilieva, and Tenant, Levan Kiriia, who confirmed their permission to represent the interest of Tenant, Irakli Kiriya, as well as Translator, Marina Bulat, participated in mediation and agreed to an Order on Consent in full and final satisfaction of the application, and in so doing, understand their legal rights to a hearing on the merits of the matter have been waived.

I was satisfied that the terms of the agreement are consistent with the *Residential Tenancies Act, 2006*.

I was satisfied that the parties have provided their informed, independent, and voluntary consent.

The parties before the LTB consented to the following order:

It is agreed that:

1. The Landlord served the Tenants with a Notice to End Tenancy Early for Non-payment of Rent (N4 Notice). The Tenants did not void the notice by paying the amount of rent arrears owing by the termination date in the N4 Notice or before the date the application was filed.
2. The Tenants were in possession of the rental unit on the date the application was filed.

3. The Tenants vacated the rental unit on March 13, 2024. Rent arrears are calculated up to the date the Tenants vacated the unit.
4. The lawful rent is \$2,180.00. It was due on the 21st day of each month.
5. The rent arrears owing to March 13, 2024 are \$4,036.96.
6. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
7. There is no last month's rent deposit.
8. The new tenancy between the Landlord and the Tenants will start on March 14, 2024 for unit 2-3B.

It is ordered on consent that:

1. The tenancy between the Landlord and the Tenants is terminated as of March 13, 2024, the date the Tenants moved out of the rental unit.
2. The Tenants shall pay to the Landlord \$4,222.96. This amount includes rent arrears owing up to the date the Tenants moved out of the rental unit and the cost of filing the application.
3. The Tenants shall pay to the Landlord the amount set out in paragraph 1 in accordance with the following schedule:
 - i) \$300.00 by April 10, 2024;
 - ii) \$300.00 per month, for 12 consecutive months, by the 10th day of each month, for the period May 10, 2024 to April 10, 2025;
 - iii) \$136.96 by May 10, 2025; and
 - iv) \$186.00 by June 10, 2025.
4. If the Tenants fail to make any one of the payments, as set out in paragraph 3, the balance owing, pursuant to paragraph 2, shall become due and owing, and the Tenants will start to owe interest. This will be simple interest calculated annually from the day following the date of the default, on the outstanding balance owing, at the post-judgement interest rate determined under section 127 of the *Courts of Justice Act*.

March 27, 2024

Date Issued



Janice Campbell
Hearings Officer, Landlord and Tenant Board

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