



Order under Section 69 Residential Tenancies Act, 2006

Citation: Wu v Guillet, 2024 ONLTB 48000

Date: 2024-07-05

File Number: LTB-L-007919-24

In the matter of: UNIT 202, 1709 BUR OAK AVE
MARKHAM ON L6E0V7

Between: Kwok wai Wu
Karman razilee Lam

And

Gina Guillet

I hereby certify this is a
true copy of an Order dated
JUL 05, 2024
Landlord and Tenant Board

Landlords

Tenant

Kwok wai Wu and Karman razilee Lam (the 'Landlords') applied for an order to terminate the tenancy and evict Gina Guillet (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on May 30, 2024.

The Landlords, the Landlords' Legal Representative, Yun Tao Li and the Tenant attended the hearing.

The parties before the LTB consented to the following order.

It is ordered on consent that:

1. The tenancy between the Landlords and the Tenant is terminated unless the Tenant voids this order.
2. **The Tenant may void this order and continue the tenancy by paying to the Landlords or to the LTB in trust:**

- \$17,436.00 if the payment is made on or before July 14, 2024. See Schedule 1 for the calculation of the amount owing.


OR

- \$20,186.00 if the payment is made on or before August 14, 2024. See Schedule 1 for the calculation of the amount owing.

3. The Tenant may also make a motion at the LTB to void this order under section 74(11) of the Act, if the Tenant has paid the full amount owing as ordered plus any additional rent that became due after August 14, 2024 but before the Court Enforcement Office (Sheriff) enforces the eviction. The Tenant may only make this motion once during the tenancy.

4. **If the Tenant does not pay the amount required to void this order the Tenant must move out of the rental unit on or before August 14, 2024**
5. If the Tenant does not void the order, the Tenant shall pay to the Landlords \$10,600.92. This amount includes rent arrears owing up to the date of the hearing and the cost of filing the application. The rent deposit and interest the Landlords owes on the rent deposit are deducted from the amount owing by the Tenant. See Schedule 1 for the calculation of the amount owing.
6. The Tenant shall also pay the Landlords compensation of \$90.41 per day for the use of the unit starting May 31, 2024 until the date the Tenant moves out of the unit.
7. If the Tenant does not pay the Landlords the full amount owing on or before August 14, 2024, the Tenant will start to owe interest. This will be simple interest calculated from August 15, 2024 at 7.00% annually on the balance outstanding.
8. If the unit is not vacated on or before August 14, 2024, then starting August 15, 2024, the Landlords may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
9. Upon receipt of this order, the Court Enforcement Office (Sheriff) is directed to give vacant possession of the unit to the Landlords on or after August 15, 2024.

July 5, 2024
Date Issued



Ender Joseph
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.

In accordance with section 81 of the Act, the part of this order relating to the eviction expires on February 15, 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.

Schedule 1
SUMMARY OF CALCULATIONS

A. Amount the Tenant must pay to void the eviction order and continue the tenancy if the payment is made on or before July 14, 2024

Rent Owing To July 14, 2024	\$17,250.00
Application Filing Fee	\$186.00
NSF Charges	\$0.00
Less the amount the Tenant paid to the Landlords since the application was filed	- \$0.00
Less the amount the Tenant paid into the LTB since the application was filed	- \$0.00
Less the amount the Landlords owes the Tenant for an{abatement/rebate}	- \$0.00
Less the amount of the credit that the Tenant is entitled to	- \$0.00
Total the Tenant must pay to continue the tenancy	\$17,436.00

B. Amount the Tenant must pay to void the eviction order and continue the tenancy if the payment is made on or before August 14, 2024

Rent Owing To August 14, 2024	\$20,000.00
Application Filing Fee	\$186.00
NSF Charges	\$0.00
Less the amount the Tenant paid to the Landlords since the application was filed	- \$0.00
Less the amount the Tenant paid into the LTB since the application was filed	- \$0.00
Less the amount the Landlords owes the Tenant for an{abatement/rebate}	- \$0.00
Less the amount of the credit that the Tenant is entitled to	- \$0.00
Total the Tenant must pay to continue the tenancy	\$20,186.00

C. Amount the Tenant must pay if the tenancy is terminated

Rent Owing To Hearing Date	\$13,196.56
Application Filing Fee	\$186.00
NSF Charges	\$0.00
Less the amount the Tenant paid to the Landlords since the application was filed	- \$0.00
Less the amount the Tenant paid into the LTB since the application was filed	- \$0.00
Less the amount of the last month's rent deposit	- \$2,750.00
Less the amount of the interest on the last month's rent deposit	- \$31.64
Less the amount the Landlords owes the Tenant for an {abatement/rebate}	- \$0.00

Less the amount of the credit that the Tenant is entitled to	- \$0.00
Total amount owing to the Landlords	\$10,600.92
Plus daily compensation owing for each day of occupation starting May 31, 2024	\$90.41 (per day)