



## Order under Section 69 Residential Tenancies Act, 2006

**Date:** 2024-11-12

**File Number:** LTB-L-062894-24

**In the matter of:** 1, 751 James Street West  
Prescott ON K0E1T0

**Between:** Brent Whitcomb

**And**

Lindsay Halladay

I hereby certify this is a  
true copy of an Order dated  
**Nov 12, 2024**  
Landlord and Tenant Board

Landlord

Tenant

Brent Whitcomb (the 'Landlord') applied for an order to terminate the tenancy and evict Lindsay Halladay (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on October 31, 2024.

The Landlord, the Landlord's Legal Representative Steven Rapoport and the Tenant attended the hearing.

At the hearing, the parties consented to the following non-remedial termination order. I was satisfied that the parties understood the terms of the consent and the consequences of their joint submissions and specifically that the Tenant understood that their tenancy would terminate in a final way.

**Agreed upon facts:**

1. The total amount owing by the Tenant to the Landlord as of October 31, 2024 is \$8,336.00, inclusive of the \$186.00 filing fee.
2. The Tenant will pay the amount owing by December 31, 2024. If the Tenant does not, then interest will start to accrue effective January 1, 2025.
3. The tenancy will terminate on December 1, 2024.
4. The Landlord collected a rent deposit of \$2,500.00 from the Tenant and this will be applied to the last rental period of the tenancy.
5. Any interest owing on the rent deposit will be applied to the arrears.

**It is ordered on consent that:**

1. The tenancy between the Landlord and the Tenant is terminated effective December 1, 2024. The Tenant must move out of the rental unit on or before December 1, 2024.

2. The Tenant shall pay to the Landlord \$5,797.82 on or before December 31, 2024. 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 Landlord owes on the rent deposit are deducted from the amount owing by the Tenant. See Schedule 1 for the calculation of the amount owing.
3. The Tenant shall also pay the Landlord compensation of \$82.19 per day for the use of the unit starting November 1, 2024 until the date the Tenant moves out of the unit.
4. If the Tenant does not pay the Landlord the full amount owing on or before December 31, 2024, the Tenant will start to owe interest. This will be simple interest calculated from January 1, 2025 at 6.00% annually on the balance outstanding.
5. If the unit is not vacated on or before December 1, 2024, then starting December 2, 2024, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
6. 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 December 2, 2024.

**November 12, 2024**  
**Date Issued**

  
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Rachel Gibbons  
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 June 2, 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 because the tenancy is terminated**

Rent Owing to Hearing Date	\$8,150.00
Application Filing Fee	\$186.00
NSF Charges	\$0.00
<b>Less</b> the amount the Tenant paid to the Landlord since the application was filed	- \$0.00
<b>Less</b> the amount of the last month's rent deposit	- \$2,500.00
<b>Less</b> the amount of the interest on the last month's rent deposit	- \$38.18
<b>Total amount owing to the Landlord</b>	<b>\$5,797.82</b>
Plus daily compensation owing for each day of occupation starting November 1, 2024	\$82.19 (per day)