



AMENDED Order under Section 69 Residential Tenancies Act, 2006

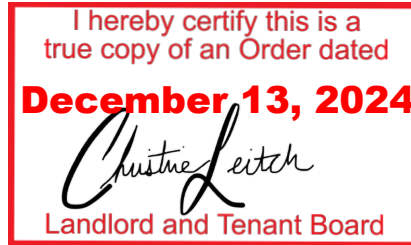
File Number: LTB-L-060549-24

In the matter of: 7848 OAKWOOD DR
NIAGARA FALLS ON L2G0J6

Between: 2318334 ONTARIO LTD.

And

Davendranath Rambally



Landlord

Tenant

This amended order is issued to correct the paragraphs listing which terms are enforceable under section 78 in the original order issued on November 15, 2024. The corrections have been bolded and underlined for ease of reference in the order.

2318334 ONTARIO LTD. (the 'Landlord') applied for an order to terminate the tenancy and evict Davendranath Rambally (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

The parties attended a hearing on November 5, 2024, where the parties elected to participate in Board facilitated mediation with the assistance of Dispute Resolution Officer (DRO) Christine Leitch. The Landlord's Legal Representative, Sidney Sheridan, the Landlord's Agent, Stephanie Reece, and the Tenant, Davendranath Rambally, participated in the mediation.

As a result of the mediation the parties requested a consent order and I am satisfied that the parties understand the consequences of their consent.

The parties agreed to the following:

1. The Landlord served the Tenant with a valid Notice to End Tenancy Early for Non-payment of Rent (N4). The Tenant did not void the notice by paying the amount of rent arrears owing by the termination date in the notice or before the day the application was filed.
2. As of the hearing date, the Tenant was still in possession of the rental unit.
3. The lawful rent is \$1,500.00. It is due on the 1st day of each month.
4. The rent arrears owing to November 30, 2024 are \$16,500.00.

5. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
6. Accordingly, the total amount the Tenant owes the Landlord is \$16,686.00.
7. The Landlord is not holding a last month rent deposit.
8. The Tenants raised concerns in accordance with section 82 of the *Residential Tenancies Act, 2006* (the 'Act'). Which were discussed during the mediation.
9. The parties agreed to the terms set out in the order below.

It is ordered on consent that:

1. The tenancy between the Landlord and the Tenant is terminated. The Tenant must vacate the unit on or before January 31, 2025.
2. If the unit is not vacated on or before January 31, 2025, then starting February 1, 2025, 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 February 1, 2025.
4. The parties agree that the amount outstanding to November 30, 2024 is \$16,686.00.
5. The Tenant shall pay the amount owing in paragraph 4 to the Landlord in full on or before January 31, 2025.
6. If the Tenant does not pay the Landlord the full amount owing in full on or before January 31, 2025, the Tenant will start to owe interest. This will be simple interest calculated from February 1, 2025 at 6.00% annually on the balance outstanding.
7. The Tenant shall pay the lawful monthly rent for December 2024 and January 2025 in full and on time.
8. If the Tenant fails to make one of the payments in accordance with paragraph 7, the Landlord can apply for earlier termination under section 78 of the Act.
9. If the Tenant fails to make any one of the payments set out in paragraph 6 of this order, the outstanding balance of any arrears of rent and costs to be paid by the Tenant to the Landlord pursuant to paragraph 7 of this order shall become immediately due and owing and the Landlord may, without notice to the Tenant, apply to the LTB within 30 days of the Tenant's breach pursuant to section 78 of the Act for an order terminating the tenancy and evicting the Tenant and requiring that the Tenant pay any new arrears, NSF fees and related charges that became owing after November 30, 2024.

10. The Tenant shall also pay to the Landlord compensation of \$49.31 per day for use of the unit starting December 1, 2024 until the date the Tenant moves out of the unit.

11. This is in full and final resolution of all matters in dispute in regards to this tenancy up to November 5, 2024.

November 15, 2024
Date Issued

December 13, 2024
Date Amended



Christine Leitch
Hearings 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 August 1, 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.