

**ONTARIO
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE
JUSTICE VERMETTE

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TUES DAY, THE 18th DAY OF
MAY, 2021

BETWEEN:

JING ZHANG

Plaintiff

- and -

GILLIAN WEINRIB

Defendant

ORDER

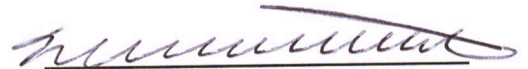
THIS MOTION, made by the Plaintiff, Jing Zhang, for, *inter alia*, an order setting aside the default judgment granted by The Honourable Justice Diamond on or about January 5, 2021 (the “**Default Judgment**”) as against the Defendant, Gillian Weinrib, was heard this day at Toronto, Ontario.

ON READING the Consent of the parties, filed:

1. **THIS COURT ORDERS** that the Default Judgment be and is hereby set aside.
2. **THIS COURT ORDERS** that the noting in default of the Defendant be and is hereby set aside.
3. **THIS COURT ORDERS** that the Defendant shall deliver a Statement of Defence within three days of the date of this order, failing which the noting in default will be reinstated.

4. **THIS COURT ORDERS** that, commencing on March 1, 2021 and continuing until the conclusion or other disposition of the within action, the Defendant shall pay to the Plaintiff's lawyers, Horlick Levitt Di Lella LLP ("**HLD**"), in trust, the amount of \$5,007.80 on account of monthly rent, which amount shall be paid on the first day of each month.
5. **THIS COURT ORDERS** that this order is being rendered on a without prejudice basis with respect to the Plaintiff's ability to increase the monthly rent in accordance with the provisions of the *Residential Tenancies Act, 2006*.
6. **THIS COURT ORDERS** that, if the Defendant defaults in making any of the payments required by paragraph 4 above, the Plaintiff may move before the court and, upon receiving affidavit evidence of the Defendant's default, the court shall grant an order that, *inter alia*, terminates the Defendant's tenancy in the form attached hereto as Schedule "B".
7. **THIS COURT ORDERS** that, within 30 days of the date of this order, the Defendant shall pay to HLD costs of obtaining the Default Judgement in the amount of \$5,000.00.

THIS ORDER BEARS INTEREST at the rate of 2.0 per cent per year commencing 30 days after the date of this order.

A handwritten signature in dark ink, appearing to be "M. M. M. M. M.", written in a cursive style.

SCHEDULE "B"

Court File No.: CV-20-00647862-0000

**ONTARIO
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE
JUSTICE

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_____ DAY, THE _____ DAY
OF _____, 2021

BETWEEN:

JING ZHANG

Plaintiff

- and -

GILLIAN WEINRIB

Defendant

ORDER

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THIS MOTION, made ~~without notice~~ by the Plaintiff, Jing Zhang (the "**Landlord**"), for, *inter alia*, an order terminating the tenancy of the Defendant, Gillian Weinrib (the "**Tenant**"), was heard this day at Toronto, Ontario.

ON READING the Notice of Motion and the Affidavit of _____ sworn on _____, filed:

1. **THIS COURT ORDERS** that the tenancy between the Landlord and the Tenant is immediately terminated and that the Tenant must immediately move out of the rental unit that is municipally known as 269B Haddington Avenue, Toronto, Ontario M5M 2R2 (the "**Rental Unit**").
2. **THIS COURT ORDERS** that the Landlord may immediately file this order with the Court Enforcement Office (Sheriff) so that the Tenant's eviction may be enforced.

3. **THIS COURT ORDERS** that, upon receipt of this order, the Court Enforcement Office (Sheriff) is required to expedite the enforcement of this order and give vacant possession of the Rental Unit to the Landlord on an immediate and expedited basis.

4. **THIS COURT ORDERS** that the Tenant shall pay the Landlord costs of this motion in the amount of \$ _____.

JING ZHANG
Plaintiff

v.

GILLIAN WEINRIB
Defendant

ONTARIO
SUPERIOR COURT OF JUSTICE

PROCEEDING COMMENCED AT
TORONTO

ORDER

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