



**Amended Order under Section 21.1 of the Statutory Powers Procedure Act  
Order under Section 69  
Residential Tenancies Act, 2006**

**Citation:** Gavrilova v **Zendehpil**, 2024 ONLTB 59359

**Date:** 2024-09-13

**File Number:** LTB-L-028598-24-AM

**In the matter of:** 61 Collin Court  
Richmond Hill ON L4E0X7

**Between:** Marina Gavrilova

**And**

Mohammad Reza **Zendehpil**  
Gelareh Arbab-arbabi

I hereby certify this is a  
true copy of an Order dated

**SEP 13, 2024**

Landlord and Tenant Board

Landlord

Tenants

Marina Gavrilova (the 'Landlord') applied for an order to terminate the tenancy and evict Mohammad Reza **Zendehpil** and Gelareh Arbab-arbabi (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

Mediation was held on August 6, 2024. The following parties participated in the mediation: The Landlord's representative, Howard Tavroges, and the Tenant, Mohammad Reza **Zendehpil**. The Tenant, Gelareh Arbab-arbabi was not present at the mediation, but provided permission to Gelareh Arbab-arbabi to consent to this Order on their behalf.

The parties consented to the following order. I was satisfied that the parties understood the consequences of their consent.

**Pursuant to a request filed by the Landlord's representative on August 15, 2024, the order is clerically amended. The order is also clerically amended pursuant to a request filed by the Landlord's representative on August 26, 2024 and September 4, 2024. The corrections have been bolded and underlined for ease of reference.**

**Agreed Facts:**

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. As of the hearing date, the Tenants were still in possession of the rental unit.
3. The lawful rent is \$2,972.00. It is due on the 1st day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$97.71. This amount is calculated as follows: \$2,972.00 x 12, divided by 365 days.
5. The rent arrears owing to August 31, 2024 are \$23,776.00.

6. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
7. The Landlord collected a rent deposit of \$2,900.00 from the Tenants and this deposit is still being held by the Landlord. The rent deposit will be applied to the month of September, 2024 which is the last month of this tenancy.
8. Interest is owing on the rent deposit in the amount of \$72.00. Interest will also be applied to the month of September, 2024.
9. This Order on Consent represents a final, non-voidable termination of this tenancy.

**It is ordered on consent that:**

1. The tenancy between the Landlord and the Tenants is terminated as of September 30, 2024. The Tenants must move out of the rental unit on or before September 30, 2024.
2. The Tenants shall pay to the Landlord **\$23,962.00** which represents the arrears of rent (\$23,776.00) plus costs (\$186.00) for the period ending August 31, 2024.
3. The Tenants shall pay the Landlord the full amount owing as set out in paragraph 2 on or before September 30, 2024.
4. If the unit is not vacated on or before September 30, 2024, the Tenants shall also pay the Landlord compensation of \$97.71 per day for the use of the unit starting October 1, 2024 until the date the Tenants move out of the unit.
5. If the Tenants fail to make any one of the payments in accordance with this order, the outstanding balance to be paid by the Tenants to the Landlord pursuant to paragraph 2 and, if applicable, paragraph 4 of this order shall become payable on the day following the date of default. The monies owing shall bear interest at the post-judgement interest rate determined under subsection 207(7) of the Residential Tenancies Act, 2006. The Landlord has the right to collect the balance outstanding under this Order.
6. If the unit is not vacated on or before September 30, 2024, then starting October 1, 2024, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
7. 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 October 1, 2024.

**August 15, 2024**  
**Date Issued**

  
Ryan Gacnik  
Hearings Officer, Landlord and Tenant Board

**September 13, 2024**  
**Date Amended**

  
Ryan Gacnik  
Hearings Officer, Landlord and Tenant Board

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 April 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.