



Order under Section 100 Residential Tenancies Act, 2006

Citation: MEDALLION CORPORATION v DWINELL, 2024 ONLTB 4702

Date: 2024-01-19

File Number: LTB-L-069159-22

In the matter of: 208, 552 BIRCHMOUNT ROAD
TORONTO ON M1K 1P4

Between: MEDALLION CORPORATION

And

THUAN DWINELL

And

UNAUTHORIZED OCCUPANTS

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

JAN 19, 2024

Landlord and Tenant Board

Landlord

Tenant

Unauthorized Occupants

MEDALLION CORPORATION (the 'Landlord') applied for an order to terminate the tenancy of THUAN DWINELL (the 'Tenant') and evict the 'Unauthorized Occupants' because the Tenant transferred occupancy of the rental unit to the Unauthorized Occupants without the Landlord's consent.

This application was heard by videoconference on January 8, 2024.

The Landlord's Agent, Tracey Fisher, the Landlord's Representative, Samuel M. Korman and the Tenant, Thuan Dwinell attended the hearing. The parties agreed to participate in mediation. As a result of the mediation, all parties agreed to resolve the application by way of a consent order. I was satisfied the parties understood the terms and consequences of their consent.

The Tenant confirmed he continued to exercise control and possession of the rental unit and did not transfer the tenancy.

Agreed Facts:

1. The parties agreed to terminate the tenancy as of February 29, 2024, with enforcement provisions.
2. The parties agreed the Tenant and any Unauthorized Occupants will vacate the rental unit on or before February 29, 2024.
3. The Landlord collected a rent deposit \$989.50 from the Tenant and this deposit is still being held by the Landlord. The rent deposit shall be applied to the last month of the tenancy.

4. The lawful monthly rent is \$1,031.31 and due on the first day of the month.
5. Interest on the rent deposit is owing to the Tenant for the period from November 1, 2023 to January 8, 2024.
6. Based on the Monthly rent, the daily compensation is \$33.91. This amount is calculated as follows: $\$1031.31 \times 12 \text{ months}$, divided by 365 days.

It is ordered on consent that:

1. The tenancy between the Landlord and the Tenant is terminated. The Tenant and any Unauthorized Occupants shall move out of the rental unit on or before February 29, 2024.
2. If the unit is not vacated by February 29, 2024, then starting March 1, 2024, the Landlord may file this order with the Court Enforcement Office (the 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 after March 1, 2024.
4. The Landlord collected a rent deposit \$989.50 from the Tenant and this deposit is still being held by the Landlord. The rent deposit shall be applied to the lawful monthly rent for February 2024.
5. If the unit is not vacated by February 29, 2024, then starting March 1, 2024, the Tenant shall pay the Landlord daily compensation of \$33.91 per day for the use of the rental unit until the Tenant moves out of the rental unit.
6. Interest on the rent deposit is owing to the Tenant for the period from November 1, 2023 to January 8, 2024 in the amount of \$4.68.

January 19, 2024
Date Issued



Tanya Speedie
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 September 1, 2024 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.