



AMENDED
Order under Section 21.1
Statutory Powers Procedure Act

Citation: Li v Morgan, 2024 ONLTB 22977

Date: 2024-04-29

File Number: LTB-L-020492-23-**AM**

In the matter of: 751 WALLACE AVE
WINDSOR ON N9G1M2

Between: Lin Li
Alan Patrick Beaudoin

Landlords

And

Robert Morgan
Amanda Morgan

Tenants



Amendments have been bolded and underlined for ease of reference.

Lin Li and Alan Patrick Beaudoin (the 'Landlords') applied for an order to terminate the tenancy and evict Robert Morgan and Amanda Morgan (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe (L1 application).

Lin Li and Alan Patrick Beaudoin (the 'Landlords') also applied for an order to terminate the tenancy and evict Robert Morgan and Amanda Morgan (the 'Tenants') because the Tenants, another occupant of the rental unit or someone the Tenants permitted in the residential complex has substantially interfered with the reasonable enjoyment or lawful right, privilege or interest of the Landlords or another tenant (L2 application).

This application was scheduled to be heard by videoconference on March 6, 2024.

The Landlords were self-represented. The Tenants were self-represented and declined the opportunity to speak with Tenant Duty Counsel prior to the mediation.

The parties elected to participate in LTB-facilitated mediation with the assistance of Angela McLaughlin, a Dispute Resolution Officer and Hearings Officer with the Landlord and Tenant Board.

The parties agree to the following:

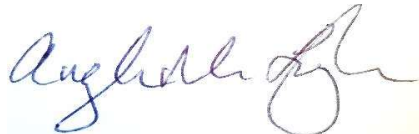
1. A final, non-voidable termination of this tenancy based on their agreement to terminate the tenancy April 30, 2024. The application is amended to include an L3 application for

termination of the tenancy. As a consequence, the Tenants do not have the option to void the eviction order under subsections 74(4) or 74(11) of the *Residential Tenancies Act, 2006* (the 'Act') by paying the outstanding rent arrears.

2. The current monthly rent is \$2,300.00.
3. The Tenants owe the Landlords \$27,786.00 including arrears of rent (\$27,600.00) and costs (\$186.00) up to March 31, 2024.
4. The Tenants **also** owe the Landlords \$2,277.80 for unpaid utility charges for the period December 2022 until July 2023.
5. The Landlords collected a last month's rent deposit of \$2,300.00 on November 26, 2022 and this deposit will be applied to April 2024, the last month of the tenancy.

On consent, it is ordered that:

1. The tenancy between the Landlords and the Tenants is terminated. The Tenants must move out of the rental unit on or before April 30, 2024.
2. If the unit is not vacated on or before April 30, 2024, then starting May 1, 2024, the Landlords 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 Landlords on or after May 1, 2024.
4. The Tenants shall pay the Landlords the total amount owing of **\$30,063.80**. This amount represents the arrears of rent up to March 31, 2024 (\$27,600.00) plus the application filing fee (\$186.00) **plus unpaid utility charges (\$2,277.80)**.
5. If the Tenants do not vacate the rental unit on or before April 30, 2024, the Tenants shall owe the Landlords \$75.62 **per day** starting May 1, 2024 until the date the Tenants vacate the rental unit.
6. If the Tenants do not pay the Landlords the full amount owing on or before April 30, 2024, the Tenants will start to owe interest. This will be simple interest calculated from May 1, 2024 at 7.00% annually on the balance outstanding.



April 3, 2024
Date Issued

Angela McLaughlin
Hearings Officer, Landlord and Tenant Board



April 29, 2024
Date Amended

Angela McLaughlin
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 of the Tenant expires on November 2, 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.