



**April 16, 2025**

Landlord and Tenant Board

**Order under Section 69  
Residential Tenancies Act, 2006**

**File Number:** LTB-L-091485-24

**In the matter of:** MAIN LEVEL, 27 HESKETH RD  
AJAX ON L1Z0K6

**Between:** NAKASH DINESH SHETTY  
SANAM SHETTY Landlords

**And**

BLAIR S. CROOK  
ERIKA SZAMOSVARI Tenants

NAKASH DINESH SHETTY and SANAM SHETTY (the 'Landlords') applied for an order to terminate the tenancy and evict BLAIR S. CROOK and ERIKA SZAMOSVARI (the 'Tenants') because:

- the Landlords in good faith require possession of the rental unit for the purpose of residential occupation for at least one year.
- the Tenants did not pay the rent that the Tenants owe.

The Landlords also claim compensation for each day the Tenants remained in the unit after the termination date.

This application was heard by videoconference on April 9, 2025. The Landlords' legal representative, Shikha Kapoor, the Landlords' legal assistant, Syashu Pesswani, the Tenant's support person, Teresa Crook and the Tenant, Blair Crook were in attendance. The Tenant, Blair Crook, had permission to speak on behalf of the other Tenant, Erika Szamosvari, who was not in attendance.

The parties elected to participate in Landlord and Tenant Board (LTB) facilitated mediation with the assistance of Sonja Hudson, a Dispute Resolution Officer with the LTB.

At the hearing, the parties consented to the following order.

I was satisfied the parties understood the consequences of their consent.

**The parties agreed that:**

1. This order is a final, non-voidable termination of this tenancy based on the parties agreement to terminate the tenancy as of May 15, 2025.
2. The lawful rent is \$3,000.00. It is due on the 1st day of each month.

3. Based on the monthly rent, the daily rent/compensation is \$98.63. This amount is calculated as follows: \$3,000.00 x 12 months, divided by 365 days.
4. The Landlords did collect a last month's rent deposit and it has already been applied.
5. The one-month compensation has been paid to the Tenants by way of reduction in the arrears owing.
6. The arrears owing to April 30, 2025, are \$34,000.00
7. The Landlords incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
8. The Tenants will make payments by way of e-transfer.

**On consent of the parties, it is ordered that:**

1. The tenancy between the Landlords and the Tenants is terminated. The Tenants must vacate the rental unit on or before May 15, 2025.
2. The Tenants shall pay to the Landlords \$17,186.00, which represents the arrears of rent (\$34,000.00) plus the filing fee (\$186.00) less the amount of arrears waived by the Landlords (\$17,000.00) for the period ending April 30, 2025.
3. The Landlords will only waive the arrears by \$17,000.00 where the Tenants do not default on any of the payments noted in this order. Where there is a default in the payment, the full arrears in the amount of \$34,186.00 (arrears plus filing fee for the period ending April 30, 2025) will be owing.
4. The Tenants shall pay to the Landlords the amount set out in paragraph 2 of this order as follows:
  - a) \$750.00 on or before April 11, 2025 (arrears); AND
  - b) \$500.00 per month due on or before the 5<sup>th</sup> day of each month for a 32-month period starting in the month of June 2025, up to and including the month of January 2028 (arrears plus filing fee); AND
  - c) \$436.00 on or before February 5, 2028 (arrears).
5. The Tenants shall pay to the Landlords \$750.00 on or before May 1, 2025 (rent for the period ending May 15, 2025).
6. If the Tenants fail to make the payments in accordance with paragraphs 4a and 5 of this order, the outstanding balance of the fully claimed arrears of rent (\$34,186.00) to be paid by the Tenants to the Landlords pursuant to paragraph 2 of this order shall become immediately due and owing. The Landlords may, without notice to the Tenants, apply to the Landlord Tenant Board within 30 days of the Tenants' breach pursuant to section 78 of

the *Residential Tenancies Act, 2006*, (the 'Act') for an order terminating the tenancy, thereby evicting the Tenants, and requiring that the Tenants pay any new arrears that became owing after April 30, 2025.

7. If the Tenants default on the payments as noted in paragraph 4b and 4c of this order, the outstanding balance of the fully claimed arrears (\$34,186.00) will become immediately due, and the Tenants will start to owe interest from the day following the date of default on the balance outstanding. The monies owing shall bear interest at the post-judgment interest rate determined under subsection 207(7) of the *Residential Tenancies Act, 2006*, (the 'Act').
8. If the unit is not vacated on or before May 15, 2025, then the Tenants shall pay the Landlords compensation of \$98.63 per day for the use of the unit starting May 16, 2025, until the date the Tenants move out of the unit.
9. If the unit is not vacated on or before May 15, 2025, then starting May 16, 2025, the Landlords may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
10. 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 16, 2025.

*Sonja Hudson*

**April 16, 2025**  
**Date Issued**

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Sonja Hudson  
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 *Residential Tenancies Act, 2006*, (the 'Act'), the part of this order relating to the eviction expires on November 16, 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.