

Important information about the Payment Agreement

Read this information over carefully before filling out the attached Payment Agreement form. YOU MAY WANT TO GET LEGAL ADVICE FIRST. Once the Payment Agreement is signed, it is a legal contract.

YOU DO NOT HAVE TO SIGN THIS AGREEMENT. If the landlord and tenant do not reach an agreement the Landlord and Tenant Board (the Board) will hold a hearing and a Board Member will issue an order.

USE OF THIS FORM:

A landlord and tenant can use this form when a tenant is in arrears of rent and the landlord has filed either an L1 application (*an Application to Evict a Tenant for Non-payment of Rent and to Collect Rent the Tenant Owes*), or L9 application (*an Application to Collect Rent the Tenant Owes*). After this form is filled out, you must file a copy with the Board.

WHAT CAN THIS FORM INCLUDE:

A Payment Agreement can include the following amounts:

- the amount of rent that the tenant owes the landlord to the end of the current rent period, as of the date this agreement is signed,
- any NSF bank charges and related administration charges that the tenant owes the landlord,
- the fee that the landlord paid to file the application, and
- any new rent that will come due during the period covered by the Agreement (for L1 Applications only)

A PAYMENT AGREEMENT CANNOT:

- agree to end the tenancy or evict the tenant,
- include any repayment of any non-rent arrears amounts owing by the tenant

FILING THIS FORM WITH THE BOARD:

Once all parties have signed this form it must be filed with the Board. You can file a copy of the agreement with the Board by emailing, or mailing, to the local LTB Regional Office.

WHAT HAPPENS AFTER YOU FILE THIS FORM WITH THE BOARD:

If you file a copy of the Agreement with the Board, the Board will decide whether to make an order based on the Agreement.

- After this form is filed the Board may issue a consent order. If a consent order is issued the hearing will be cancelled.
- If the Board does not issue a consent order, then a hearing will take place as scheduled (or a hearing will be scheduled). IF a hearing is scheduled it is important that all parties attend the hearing. If you do not go to a hearing, the Board will hold a hearing without you. For information about your hearing see the Notice of Hearing

IMPORTANT: If you do not receive an order from the Board before your hearing date, you should contact the Board to find out if the hearing has been cancelled.

If the landlord filed a L1 application and the tenant misses a payment or pays late:

- the landlord may file an application with the Board requesting an order terminating the tenancy within 30 days of the missed or late payment. The order is sent to both parties and the tenant may file a motion to set aside the order within 10 days of the order being made; OR
- the landlord may ask the Board to re-open the application and hold a hearing.

If the landlord filed a L9 application and the tenant misses a payment or pays late:

- the landlord may ask the Board to re-open the application and hold a hearing.



File Number

Payment Agreement to settle based on:

- an **L1 Application** (*an Application to Evict a Tenant for Non-payment of Rent and to Collect Rent the Tenant Owes*), or
- an **L9 Application** (*an Application to Collect Rent the Tenant Owes*)

Landlord(s):	Tenant(s):
Address of the Rental Unit:	

The terms "landlord" and "tenant" will be used in this Agreement to include everyone listed above.

The landlord and the tenant agree to the following repayment plan to settle the landlord's application,

File Number

1. The tenant owes the landlord \$ _____, which is made up of:

\$ _____ for rent owing up to
dd/mm/yyyy

\$ _____ for NSF bank charges and related administration charges, and

\$ _____ for the fee that the landlord paid to file the application.

2. The tenant agrees to pay the landlord the amount in paragraph #1 above, as follows:

Amount to be paid	Due date
\$ _____	<input style="width: 150px; height: 20px;" type="text" value=" / /"/> dd/mm/yyyy
\$ _____	<input style="width: 150px; height: 20px;" type="text" value=" / /"/> dd/mm/yyyy
\$ _____	<input style="width: 150px; height: 20px;" type="text" value=" / /"/> dd/mm/yyyy
\$ _____	<input style="width: 150px; height: 20px;" type="text" value=" / /"/> dd/mm/yyyy
\$ _____	<input style="width: 150px; height: 20px;" type="text" value=" / /"/> dd/mm/yyyy
\$ _____	<input style="width: 150px; height: 20px;" type="text" value=" / /"/> dd/mm/yyyy
\$ _____	<input style="width: 150px; height: 20px;" type="text" value=" / /"/> dd/mm/yyyy
\$ _____	<input style="width: 150px; height: 20px;" type="text" value=" / /"/> dd/mm/yyyy
\$ _____	<input style="width: 150px; height: 20px;" type="text" value=" / /"/> dd/mm/yyyy

3. The tenant also agrees to pay the landlord the rent as it becomes due during the arrears repayment period (Available only for an L1 Application)

The rent is due on the _____ day of each month week other (specify) _____

The current rent is \$ _____ . per month week other (specify) _____

4. If the tenant fails to make any payment in full and by the due date the landlord may (select one):

[] file an application with the Board within 30 days of the missed or late payment requesting an order terminating the tenancy, or ask the Board re-open the application and hold a hearing. **NOTE: this option can only be selected if the landlord filed an L1 Application.**

[] ask the Board to re-open the application and hold a hearing. **NOTE: this option can be selected for either an L1 or L9 application**

IMPORTANT INFORMATION TO READ BEFORE SIGNING THE AGREEMENT:

YOU DO NOT HAVE TO SIGN THIS AGREEMENT. YOU MAY INSTEAD GO TO A HEARING AND A BOARD MEMBER WILL DECIDE IF THERE SHOULD BE A PAYMENT PLAN. YOU MAY ALSO GET LEGAL ADVICE BEFORE SIGNING THE AGREEMENT.

The landlord or tenant can ask the Board to re-open the application within 30 days of the date the Board makes the order, if they believe that the other party:

- forced them to enter into the agreement, or
- gave them false or misleading information on purpose that had a "material effect" on this Agreement and on the order.

If an application is re-opened, there will be a hearing and the Board will decide if the order should be changed.

IF YOU DO NOT RECEIVE AN ORDER FROM THE BOARD BEFORE YOUR HEARING DATE, YOU SHOULD CONTACT THE BOARD TO SEE WHETHER YOU MUST ATTEND YOUR HEARING .

_____	_____	_____
Name of Tenant	Signature	Date
_____	_____	_____
Name of Tenant	Signature	Date
_____	_____	_____
Name of Landlord/Representative	Signature	Date
_____	_____	_____
Name of Landlord/Representative	Signature	Date

(If there are more names than spaces, put them below, using the same format.)

OFFICE USE ONLY:

Delivery Method: In Person Mail Courier Email Efile Fax MS FL