



Order under Section 78(6)
Residential Tenancies Act, 2006

File Number: NOL-44608-21

In the matter of: 2, 104 WEST STREET
SAULT STE. MARIE ON P6A1W4

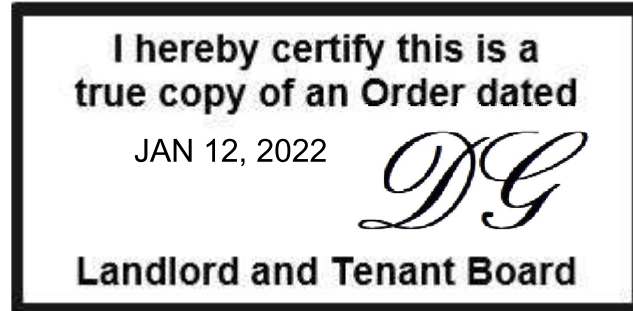
Between: Marnie Wicks
Robert Wicks

Landlords

and

Maddison Braido
Riley Haynes

Tenants



Marnie Wicks and Robert Wicks (the 'Landlords') applied for an order to terminate the tenancy and evict Riley Haynes and Maddison Braido (the 'Tenants') and for an order to have the Tenants pay the rent they owe because the Tenants failed to meet a condition specified in the order issued by the Board on February 18, 2021 with respect to application NOL-40444-20.

Determinations:

1. The order provided that the Landlords could apply to the Board under section 78 of the *Residential Tenancies Act, 2006* (the 'Act') without notice to the Tenants to terminate the tenancy and evict the Tenants if the Tenants did not meet certain condition(s) specified in the order.
2. I find that the Tenants have not met the following conditions specified in the order: The Tenant failed to pay the lawful monthly rent on or before November 1, 2021. The Tenant failed to pay \$89.19 towards the arrears on or before November 7, 2021.
3. The previous application included a request for an order for the payment of arrears of rent. The resulting order required the Tenants to pay rent or some or all of the arrears of rent. Accordingly, in addition to eviction, the Landlords are entitled to request an order for the payment of arrears of rent and compensation.
4. The Tenants were ordered to pay \$3,211.00 for rent arrears and the costs related to the Landlord's application fee in Order NOL-40444-20. The amount that is still owing from that order is \$2,497.48 and that amount is included in this order. As a result, the previous order NOL-40444-20 is cancelled.
5. Since the date of the order, the Tenants have failed to pay the full rent that became owing for the period from November 1, 2021 to November 30, 2021.

6. The Landlords collected a rent deposit of \$750.00 from the Tenants and this deposit is still being held by the Landlords.
7. Interest on the rent deposit is owing to the Tenants for the period from February 22, 2020 to January 12, 2022.

It is ordered that:

1. Order NOL-40444-20 is cancelled.
2. The tenancy between the Landlords and the Tenants is terminated as of January 12, 2022. The Tenants must move out of the rental unit on or before January 23, 2022.
1. The Tenants shall pay to the Landlord \$\$3,631.82*. This amount represents the rent owing up to January 12, 2022.
2. The Tenants shall also pay to the Landlord \$24.66 per day for compensation for the use of the unit starting January 12, 2022 to the date the Tenants move out of the unit.
3. If the unit is not vacated on or before January 23, 2022, then starting January 24, 2022, the Landlords may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
4. 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 January 24, 2022.
5. The tenant has until January 22, 2022 to file a motion with the Board to set aside the order under s. 78(9) of the Act. If the tenant files the motion by January 22, 2022 the order will be stayed, and the Board will schedule a hearing.
6. In accordance with section 81 of the Act, the part of this order relating to the eviction expires on July 24, 2022 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.

January 12, 2022
Date Issued



Daniel Berube
Member, Landlord and Tenant Board

Northern-RO
199 Larch Street, Provincial Building, Suite 301
Sudbury ON P3E5P9

If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.

* Refer to the attached Summary of Calculations.

Summary of Calculations

File Number: NOL-44608-21

Amount the Tenant must pay to the Landlord

Reason for amount owing	Period	Amount
Amount owing from previous order or settlement plus New Arrears and New NSF cheque charges and related administration charges: Up to November 30, 2021		\$3, 336.67
New rent due up to the date of this order: December 1, 2021 to January 12, 2022		\$ 1,045.92
Less the rent deposit:		-\$750.00
Less the interest owing on the rent deposit	February 22, 2020 to January 12, 2022	-\$0.77
Plus daily compensation owing for each day of occupation starting January 13, 2022		\$24.66 (per day)

Total the Tenants must pay the Landlord:	\$3,631.82, + \$24.66 per day starting January 13, 2022
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