

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

File Number: SOL-13310-20

In the matter of: 8, 9 LINDEN AVENUE
BRANTFORD ON N3S7E3

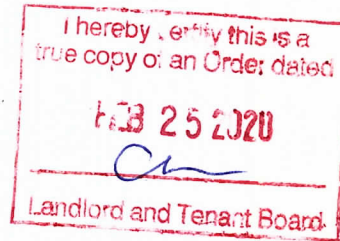
Between: Raymond Lui
2682319 Ontario Ltd.

Landlords

and

Brandi Laking

Tenant



Raymond Lui and 2682319 Ontario Ltd. (the 'Landlords') applied for an order to terminate the tenancy and evict Brandi Laking (the 'Tenant') and for an order to have the Tenant pay the rent the Tenant owes because the Tenant failed to meet a condition specified in the mediated settlement issued by the Board on November 26, 2019 with respect to application SOL-09360-19.


Determinations:

1. The mediated settlement provided that the Landlords could apply to the Board under section 78 of the *Residential Tenancies Act, 2006* (the 'Act') without notice to the Tenant to terminate the tenancy and evict the Tenant if the Tenant did not meet certain condition(s) specified in the settlement.
2. I find that the Tenant has not met the following condition specified in the settlement: The Tenant failed to pay the lawful monthly rent for February, 2020 in full and on February 1, 2020.
3. The previous application included a request for an order for the payment of arrears of rent. The resulting mediated settlement required the Tenant 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 amount that is still owing, according to the terms of the mediated settlement, for arrears of rent, is \$1,961.50.
5. Since the date of the mediated settlement, the Tenant has failed to pay the full rent that became owing for the period from February 1, 2020 to February 29, 2020.

It is ordered that:

1. The tenancy between the Landlords and the Tenant is terminated. The Tenant must move out of the rental unit on or before March 7, 2020.
2. The Tenant shall pay to the Landlords \$2,636.66*. This amount represents the rent owing up to February 25, 2020.
3. The Tenant shall also pay to the Landlords \$27.01 per day for compensation for the use of the unit starting February 26, 2020 to the date the Tenant moves out of the unit.
4. If the Tenant does not pay the Landlords the full amount owing* on or before March 7, 2020, the Tenant will start to owe interest. This will be simple interest calculated from March 8, 2020 at 3.00% annually on the balance outstanding.
5. If the unit is not vacated on or before March 7, 2020, then starting March 8, 2020, the Landlords may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
6. 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 March 8, 2020.

February 25, 2020
Date Issued


Kevin Lundy
Vice Chair, Landlord and Tenant Board

Southern-RO
119 King Street West, 6th Floor
Hamilton ON L8P4Y7

The tenant has until March 6, 2020 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 March 6, 2020 the order will be stayed and the Board will schedule a hearing.

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 8, 2020 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.

* Refer to the attached Summary of Calculations.

Summary of Calculations

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Amount the Tenant must pay

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		\$2,636.66
Less the rent deposit:		-\$0.00
Less the interest owing on the rent deposit		-\$0.00
Plus daily compensation owing for each day of occupation starting February 26, 2020		\$27.01 (per day)

Total the Tenant must pay the Landlord:	\$2,636.66, + \$27.01 per day starting February 26, 2020
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