


Order under Section 69
Residential Tenancies Act, 2006

File Number: TNL-92256-17

In the matter of: 605, 1059 DON MILLS ROAD
NORTH YORK ON M3C1X1

Between: Sharon Crowe
Bruce-James Investments Ltd.

I hereby certify this is a true copy of the Order
(Name of Document)

(Signature of Staff Member)

Landlords

and
Angelo Pessos

MAY 03 2017
Landlord and Tenant Board

Tenant

Sharon Crowe and Bruce-james Investments Ltd. (the 'Landlords') applied for an order to terminate the tenancy and evict Angelo Pessos (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard in Toronto on April 27, 2017.

The Landlord's Representative, S. Crowe attended the hearing.

Determinations:

1. The Tenant has not paid the total rent the Tenant was required to pay for the period from March 1, 2017 to April 30, 2017. Because of the arrears, the Landlords served a Notice of Termination effective April 4, 2017.
2. The Landlords collected a rent deposit of \$1,275.00 from the Tenant and this deposit is still being held by the Landlords.
3. Interest on the rent deposit is owing to the Tenant for the period from June 15, 2016 to April 4, 2017.
4. I have considered all of the disclosed circumstances in accordance with subsection 83(2) of the *Residential Tenancies Act, 2006* (the 'Act'), and find that it would be unfair to grant relief from eviction pursuant to subsection 83(1) of the Act.

It is ordered that:

1. Unless the Tenant voids the order as set out below, the tenancy between the Landlords and the Tenant is terminated. The Tenant must move out of the rental unit on or before May 14, 2017.
2. The Tenant shall pay to the Landlords \$1,200.27*, which represents the amount of rent owing and compensation up to May 3, 2017, less the rent deposit and interest the Landlords owe on the rent deposit.

3. The Tenant shall also pay to the Landlords \$41.92 per day for compensation for the use of the unit starting May 4, 2017 to the date the Tenant moves out of the unit.
4. The Tenant shall also pay to the Landlords \$190.00 for the cost of filing the application.
5. If the Tenant does not pay the Landlords the full amount owing* on or before May 14, 2017, the Tenant will start to owe interest. This will be simple interest calculated from May 15, 2017 at 2.00% annually on the balance outstanding.
6. If the unit is not vacated on or before May 14, 2017, then starting May 15, 2017, the Landlords may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
7. 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 15, 2017.
8. If, on or before May 14, 2017, the Tenant pays the amount of \$4,015.00** to the Landlords or to the Board in trust, this order for eviction will be void. This means that the tenancy would not be terminated and the Tenant could remain in the unit. If this payment is not made in full and on time, the Landlords may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
9. The Tenant may make a motion to the Board under subsection 74(11) of the Act to set aside this order if they pay the amount required under that subsection on or after May 15, 2017 but before the Sheriff gives vacant possession to the Landlords. The Tenant is only entitled to make this motion once during the period of the tenancy agreement with the Landlords.

May 3, 2017
Date Issued


Sylvia Watson
Member, Landlord and Tenant Board

Toronto North-RO
47 Sheppard Avenue East, Suite 700, 7th Floor
Toronto ON M2N5X5

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 November 15, 2017 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 section A on the attached Summary of Calculations.
- ** Refer to section B on the attached Summary of Calculations.

**Schedule 1
SUMMARY OF CALCULATIONS**

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A. Amount the Tenant must pay if the tenancy is terminated:

Reasons for amount owing	Period	Amount
Arrears: (up to the termination date in the Notice of Termination)	March 1, 2017 to April 4, 2017	\$1,275.00
Plus compensation: (from the day after the termination date in the Notice to the date of the order)	April 5, 2017 to May 3, 2017	\$1,215.68
Less the rent deposit:		-\$1,275.00
Less the interest owing on the rent deposit:	June 15, 2016 to April 4, 2017	-\$15.41
Amount owing to the Landlords on the order date:(total of previous boxes)		\$1,200.27
Additional costs the Tenant must pay to the Landlords:		\$190.00
Plus daily compensation owing for each day of occupation starting May 4, 2017:		\$41.92 (per day)
Total the Tenant must pay the Landlords if the tenancy is terminated:		\$1,390.27, + \$41.92 per day starting May 4, 2017

B. Amount the Tenant must pay to void the eviction order and continue the tenancy:

Reasons for amount owing	Period	Amount
Arrears:	March 1, 2017 to May 31, 2017	\$3,825.00
Additional costs the Tenant must pay to the Landlords:		\$190.00
Total the Tenant must pay to continue the tenancy:	On or before May 14, 2017	\$4,015.00

