



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

File Number: EAL-99457-22

In the matter of: 12 LOWES HILL CIRCLE
CALEDON ON L7C4H4

Between: Babatunde Obatolu

and

Sheryl Hall

I hereby certify this is a
true copy of an Order dated

May 6, 2022

Landlord and Tenant Board

Landlord

Tenant

On April 5, 2022, Babatunde Obatolu (the 'Landlord') applied for an order to terminate the tenancy and evict Sheryl Hall (the 'Tenant') and for an order to have the Tenant pay compensation for damage the Tenant owes because the Tenant failed to meet a condition specified in the order issued by the Board on December 31, 2021 with respect to application HOL-10542-21.

Determinations:


1. The order provided that the Landlord 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 order.
2. I find that the Tenant has not met the following condition specified in the order:
The Tenant failed to pay to the Landlord \$310.00 on or before April 1, 2022 towards utility costs.
3. The previous application included a request for an order for utility costs owed by the Tenant and the resulting order required the Tenant to pay an amount for these costs. Accordingly, the Landlord is entitled to request an order for compensation for damage.
4. The Tenant was ordered to pay \$1,857.82 for utility costs in Order HOL-10542-21. The amount that is still owing from that order is \$927.92 and that amount is included in this order. As a result, the previous order HOL-10542-21 is cancelled.
5. The Landlord collected a rent deposit of \$2,500.00 from the Tenant and this deposit is still being held by the Landlord.
6. Interest on the rent deposit is owing to the Tenant for the period from November 19, 2020 to May 6, 2022.

It is ordered that:

1. Order HOL-10542-21 is cancelled.

2. The tenancy between the Landlord and the Tenant is terminated. The Tenant must move out of the rental unit on or before May 17, 2022.
3. The Tenant shall pay the Landlord \$927.92 (less any amounts paid to the Landlord after this application was filed on April 5, 2022), which represents the amount owing for utility arrears under the previous application.
4. The Tenant shall also pay to the Landlord \$82.19 per day for compensation for the use of the unit starting May 7, 2022 to the date the Tenant moves out of the unit.
5. The Landlord or the Tenant shall pay to the other any sum of money that is owed as a result of this order.
6. If the unit is not vacated on or before May 17, 2022, then starting May 18, 2022, the Landlord 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 Landlord on or after May 18, 2022.

May 6, 2022
Date Issued


Ian Speers
Vice Chair, Landlord and Tenant Board

Eastern-RO
255 Albert Street, 4th Floor
Ottawa ON K1P6A9

The tenant has until May 16, 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 May 16, 2022 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 November 18, 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.