



Order under Section 69
Residential Tenancies Act, 2006

File Number: SWL-39217-19

In the matter of: 2, 251 RAGLAN STREET
WOODSTOCK ON N4S1W9

Between: Kelly And Marion Baker Landlord

and

Jennifer Vanwell Tenants
Justin Richards

Kelly And Marion Baker (the 'Landlord') applied for an order to terminate the tenancy and evict Justin Richards and Jennifer Vanwell (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was heard in Woodstock on February 28, 2020. The Landlord Marion Baker attended the hearing on behalf of both Landlords. The Tenants attended the hearing and spoke with Duty Counsel prior to the hearing.

As a result of the ban on evictions from March 19 to July 31, 2020, the issuance of this Order has been delayed. Any payments made by the Tenant(s) after the hearing date must be deducted by the Landlord from the amount ordered by the Board.

With the assistance of a Board Mediator, the parties mutually agreed to resolve all matters at issue in the application and requested an order on consent. I was satisfied that the parties understood the consequences of the joint submission.

At the hearing, the parties agreed:

1. The application is amended to reflect the correct spelling of the Tenants name as "Justin".
2. The Tenants have not paid the total rent the Tenants were required to pay for the period from December 1, 2019 to February 29, 2020. Because of the arrears, the Landlord served a Notice of Termination effective December 16, 2019.
3. The Tenants are in possession of the rental unit.
4. The monthly rent is \$728.00, effective January 1, 2020.
5. The Landlord is not holding a last month's rent deposit.
6. The Tenants paid \$2,135.50 after the application was filed.

On consent of the parties, it is ordered that:

1. The Tenants shall pay to the Landlord **\$208.00**, which represents the arrears of rent (\$33.00) and costs (\$175.00) outstanding for the period ending **February 29, 2020**.
2. The Landlord's application for eviction of the Tenants is denied on the condition that:
 - (a) The Tenants shall make the following payments to the Landlord in respect of the monies owing under paragraph 1 of this order:

Date Payment Due	Amount of Payment
March 15, 2020	\$80.00 (costs and arrears)
April 15, 2020	\$80.00 (costs and arrears)
May 1, 2020	\$48.00 (arrears)

- (b) The Tenants shall also pay the Landlord the rent for the months of **March 2020** to **May 2020** in full, and on the **first** of each corresponding month.
3. If the Tenants fail to make any of the payments in accordance with paragraph 2, and by the dates required, then:
 - (a) The Landlord may apply under section 78 of the *Residential Tenancies Act, 2006* (the 'Act') for an order terminating the tenancy and evicting the Tenant, and for the payment of any new arrears of rent and NSF charges not already ordered under paragraph 1 of this order. The Landlord must make the application within 30 days of a breach of a condition set out in paragraph 2 of this order.
 - (b) The balance owing under paragraph 1 of this order shall become payable on the day following the date of default. The monies owing shall bear interest at the post-judgment interest rate determined under subsection 207(7) of the *Act*.



Nathan Ferguson
Member, Landlord and Tenant Board

August 25, 2020
Date Issued

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