



Order under Section 69
Residential Tenancies Act, 2006

File Number: CEL-04199-21

In the matter of: LOWER, 14 GRIFFIN ROAD
COLLINGWOOD ON L9Y4B8

Between: Elevated Wealth Creations

Landlord

and

Teya Pridham
Tyler Parry

Tenants

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

MARCH 21, 2022

TR

Landlord and Tenant Board

Elevated Wealth Creations (the 'Landlord') applied for an order to terminate the tenancy and evict Teya Pridham and Tyler Parry (the 'Tenants') because they have been persistently late in paying their rent. The Landlord also claimed compensation for each day the Tenants remained in the unit after the termination date.

This application was heard via teleconference on February 3, 2022.

Only the Landlord's agents Kelly Caldwell and Ian Hocking attended the hearing along with the Landlord's legal representative Cassandra Weatherston. As of 11:00 a.m. the Tenants were not present despite being served with notice of hearing by the Board.

Determinations:

1. On December 2, 2021 the Landlord served the Tenants with an N8 notice of termination alleging the Tenant has persistently paid the rent late. The termination date on the N8 notice of termination is January 31, 2022.
2. I find that the Landlord has established that the Tenants have persistently failed to pay the rent on the date it was due. The Tenants have paid their rent in full and on time only three times over the thirteen month period leading up to the hearing date. Some of the late payments were only a few days late but four were weeks late, and the January 2022 and February 2022 rent payments had not been paid as of the hearing date.
3. The Landlord provided a ledger indicating the late payments by the Tenants and an email sent to the Tenants on October 1, 2021 reminding the Tenants that rent is due on the first of each month. The e-mail indicated that after a five day grace period the Landlord will issue an N4 unless the parties have entered into an arrangement. The Landlord also has a program that sends out a generated message each time there is a late or missed payment.

4. The Landlord had collected a last month's rent deposit of \$1,400.00.
5. At the hearing the Landlord sought either an eviction order or, if a conditional order is granted, that it be a conditional order that the rent be paid in full and on time for 18 months.
6. 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. The Landlord was not aware of any reasons why I should delay or deny the eviction. They advised that both Tenants are employed and that they have no children.

It is ordered that:

1. The tenancy between the Landlord and the Tenants is terminated. The Tenants must move out of the rental unit on or before April 1, 2022.
2. The Tenants shall pay to the Landlord \$966.57, which represents compensation for the use of the unit from February 1, 2022 to March 21, 2022, less the rent deposit.
3. The Tenants shall also pay to the Landlord \$46.03 per day for compensation for the use of the unit from March 22, 2022 to the date they move out of the unit.
4. If the Tenants do not pay the Landlord the full amount owing on or before April 1, 2022, they will start to owe interest. This will be simple interest calculated from April 2, 2022 at 2.00% annually on the balance outstanding.
5. If the unit is not vacated on or before April 1, 2022, then starting April 2, 2022, the Landlord 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 Landlord on or after April 2, 2022.

March 21, 2022
Date Issued



Anita Lovrich
Member, Landlord and Tenant Board

Central-RO
3 Robert Speck Pkwy, 5th Floor
Mississauga ON L4Z2G5

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 October 2, 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.