



Order under Section 69  
**Residential Tenancies Act, 2006**

**File Number:** SOL-23998-21

**In the matter of:** 3899 REBSTOCK ROAD  
CRYSTAL BEACH ON L0S1B0

**Between:** Elizabeth Yakovich Landlord

**and**

Jodi Whillier Tenants  
Richard Tessier

Elizabeth Yakovich (the 'Landlord') applied for an order to terminate the tenancy and evict Jodi Whillier and Richard Tessier (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was heard by videoconference on February 1, 2022. Only the Landlord attended the hearing. As of 1:52 p.m., the Tenants were not present or represented at the hearing although properly served with notice of this hearing by the Board.

**Determinations:**

1. The Tenants have not paid the total rent the Tenants were required to pay for the period from May 1, 2021 to July 31, 2021. Because of the arrears, the Landlord served a Notice of Termination effective August 11, 2021.
2. The Tenants vacated the rental unit on January 2, 2022. The Tenants were in possession of the rental unit on the date the application was filed.
3. The monthly rent is \$1,650.00.
4. The Tenants have made no payments since the application was filed.
5. The Landlord collected a rent deposit of \$1,650.00 from the Tenants and this deposit is still being held by the Landlord.
6. Interest on the rent deposit is owing to the Tenants for the period from August 22, 2020 to August 11, 2021.

**It is ordered that:**

1. The tenancy is terminated as of January 2, 2022, the date the Tenants gave vacant possession of the rental unit to the Landlord.

2. The Tenants shall pay to the Landlord **\$9,007.40\***, which represents the amount of rent owing and compensation up to January 2, 2022, less the rent deposit and interest the Landlord owes on the rent deposit.
3. The Tenants shall also pay to the Landlord **\$186.00** for the cost of filing the application.
4. If the Tenants do not pay the Landlord the full amount owing\* on or before February 18, 2022, the Tenants will start to owe interest. This will be simple interest calculated from February 19, 2022 at 2.00% annually on the balance outstanding.

**February 7, 2022**  
**Date Issued**

\_\_\_\_\_  
Michael Di Salle  
Member, Landlord and Tenant Board

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

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

\* Refer to section A on the attached Summary of Calculations.

**Schedule 1  
SUMMARY OF CALCULATIONS**

**File Number: SOL-23998-21**

**A. Amount the Tenants must pay as the tenancy is terminated:**

| <b>Reasons for amount owing</b>   | <b>Period</b>                      | <b>Amount</b>     |
|---|------------------------------------|-------------------|
| Arrears: (up to the termination date in the Notice of Termination)                                  | May 1, 2021 to August 11, 2021     | \$2,865.50        |
| Plus compensation: (from the day after the termination date in the Notice to the date of the order) | August 12, 2021 to January 2, 2022 | \$7,793.50        |
| Less the rent deposit:  |                                    | -\$1,650.00       |
| Less the interest owing on the rent deposit:  | August 22, 2020 to August 11, 2021 | -\$1.60           |
| Amount owing to the Landlord on the order date: (total of previous boxes)                           |                                    | <b>\$9,007.40</b> |
| Additional costs the Tenants must pay to the Landlord:  |                                    | \$186.00          |
| <b>Total the Tenants must pay the Landlord as the tenancy is terminated:</b>                        |                                    | <b>\$9,193.40</b> |

2022 CanLII 94598 (ON LTB)