

Residential Tenancy Dispute Resolution Service (RTDRS)

COURT ACTION NUMBER	
RTDRS CASE NUMBER	R23/013131
TRIBUNAL	Residential Tenancy Dispute Resolution Service – Government of Alberta
APPLICANT(S) Landlord	Shilpy Sharma
RESPONDENT(S) Tenant	Ashley Barnard
DOCUMENT	Conditional Order
NAME, PHYSICAL ADDRESS FOR SERVICE, EMAIL ADDRESS AND TELEPHONE NUMBER FOR PARTY FILING THE ORDER	P&N Properties Limited 138 Rainbow Falls Blvd, CHESTERMERE ALBERTA T1X 0N6 info@pnproperties.ca 587 997 7006
LEGISLATION	Residential Tenancies Act Statutes of Alberta, 2004, Chapter R-17.1 and Amendments and Regulations thereto

DATE OF HEARING: 1 December 2023 & 8 December 2023

DATE OF ORDER: 8 December 2023

NAME OF TENANCY DISPUTE OFFICER WHO MADE THIS ORDER: J. YOUNG

LOCATION OF HEARING: By Telephone Conference

ADDRESS OF THE RENTAL PREMISES: 216 Erin Meadow Green Se, CALGARY AB

UPON APPLICATION of the Landlord

AND UPON FINDING that service was properly effected in accordance with the *Residential Tenancies Act* and/or the *Residential Tenancy Dispute Resolution Service Regulation* by way of email

AND UPON having read the application of the Landlord.

AND UPON having heard what was said by Parmjeet Dhaliwal (for the Landlord) and the Tenant.

THE TENANCY DISPUTE OFFICER FINDS THAT:

The Tenant has substantially breached the *Residential Tenancies Act* under s. 21(a) failing to pay rent when due.

IT IS ORDERED THAT:

The Landlord shall have Judgment against the Tenant for unpaid rent, up to and including 31 December 2023 in the amount of \$3,900.00, and costs in the amount of \$75.00, for the total Judgment amount of \$3,975.00.

IT IS FURTHER ORDERED THAT THE TENANCY WILL NOT BE TERMINATED IF THE FOLLOWING CONDITIONS ARE MET:

The Tenant shall make the following payments to the Landlord:

The amount of \$1,700.00 on or before Friday 15 December 2023, at 05.00 PM.

The amount of \$2,275.00 on or before Friday 22 December 2023, at 05.00 PM.

The amount of \$2,200.00 on or before Monday 15 January 2024, at 05.00 PM.

The amount of \$2,200.00 on or before Thursday 1 February 2024, at 11.59 PM.

The amount of \$2,200.00 on or before Friday 1 March 2024, at 11.59 PM.

HOWEVER, if the Tenant(s) defaults on any of the payments set out above, the tenancy between the Landlord(s) and Tenant(s) is terminated effective immediately. The Landlord(s) may obtain vacant possession without further order, after serving the Tenant(s) with a *Notice of Default* within 14 days after the default occurs. The *Notice of Default* will provide the Tenant(s) with 7 days to vacate the rental premises.

As a result of the default, the Landlord(s) shall be entitled to \$72.33 per day from 1 January 2024 until the date the Landlord(s) obtains possession of the rental premises, as unpaid rent and/or compensation for use and occupation of the rental premises. This default entitlement amount is in addition to the Judgment amount above.

Any failure to pay under this Order by a Tenant that is not enforced by the Landlord does not prevent the Landlord from enforcing this Order on a subsequent default.

Reasons to support this decision and Order were provided orally during the hearing.

This order is binding on the parties when issued and, on being filed at the Court of King's Bench, is enforceable in the same manner as an order of the Court. After the filed order has been served on the Tenant(s), an Affidavit of Service must be filed at the Court before a civil enforcement agency has authority to evict any occupant of the rental premises in accordance with the terms of the order.



J. YOUNG
Tenancy Dispute Officer

8 December 2023