

Order under Section 69
Residential Tenancies Act, 2006

File Number: EAL-09155-10

In the matter of: 72 MARMORA STREET
TRENTON ON K8V2J1

Between: Victor Sadowski

and

Christine Giardano
Jermiah Mc Connell

I hereby certify this is a true copy of the Order
(Name of Document) **Landlord**
(Yenting Huang3)
(Signature of Staff Member)

AUG 3 1 2010

LANDLORD AND TENANT BOARD **Tenants**

Victor Sadowski (the 'Landlord') applied for an order to terminate the tenancy and evict Christine Giardano and Jermiah Mc Connell (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was heard in Belleville on September 9, 2010.

Only the Landlord attended the hearing.

Determinations:

1. The Tenants have not paid the total rent they were required to pay for the period from February 1, 2010 to September 30, 2010. Because of the arrears, the Landlord served a Notice of Termination effective July 21, 2010.
2. The Landlord collected a rent deposit of \$650.00 from the Tenants and this deposit is still being held by the Landlord.
3. Interest on the rent deposit is owing to the Tenants for the period from March 23, 2009 to July 21, 2010.
4. 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 not be unfair to postpone the eviction until September 7, 2010, pursuant to subsection 83(1)(b) of the Act.

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 September 7, 2010.
2. The Tenants shall pay to the Landlord \$4,258.52*, which represents the amount of rent owing and compensation up to August 31, 2010, less the rent deposit and interest the Landlord owes on the rent deposit.

**Schedule 1
SUMMARY OF CALCULATIONS**

File Number: EAL-09155-10

A. Amount the Tenants must pay if the tenancy is terminated:

Reasons for amount owing	Period	Amount
Arrears: (up to the termination date in the Notice of Termination)	February 1, 2010 to July 21, 2010	\$3,983.29
Plus compensation: (from the day after the termination date in the Notice to the date of the order)	July 22, 2010 to August 31, 2010	\$943.41
Less the rent deposit:		-\$650.00
Less the interest owing on the rent deposit:	March 23, 2009 to July 21, 2010	-\$18.18
Amount owing to the Landlord on the order date:(total of previous boxes)		\$4,258.52
Additional costs the Tenants must pay to the Landlord:		\$170.00
Plus daily compensation owing for each day of occupation starting September 1, 2010:		\$23.01 (per day)
Total the Tenants must pay the Landlord if the tenancy is terminated:		\$4,428.52, + \$23.01 per day starting September 1, 2010

B. Amount the Tenants must pay to void the eviction order and continue the tenancy:

1. If the payment is made on or before August 31, 2010:

Reasons for amount owing	Period	Amount
Arrears:	February 1, 2010 to August 31, 2010	\$4,900.00
Additional costs the Tenants must pay to the Landlord:		\$170.00
Total the Tenants must pay to continue the tenancy:		\$5,070.00