

Order under Section 69
Residential Tenancies Act, 2006

File Number: EAL-09154-10

In the matter of: 76 MARMORA STREET
TRENTON ON K8V2J1

Between: Victor Sadowski

and

Tiffany Downey

I hereby certify this is a true copy of the Order
(Name of Document)

(Signature of Staff Member) (Yenling Huang3)

Landlord

AUG 3 1 2010

LANDLORD AND TENANT BOARD

Tenant

Victor Sadowski (the 'Landlord') applied for an order to terminate the tenancy and evict Tiffany Downey (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard in Belleville on August 27, 2010.

Only the Landlord attended the hearing.

Determinations:

1. The Tenant has not paid the total rent she was 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 Tenant and this deposit is still being held by the Landlord.
3. Interest on the rent deposit is owing to the Tenant for the period from March 12, 2008 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 Tenant is terminated. The Tenant must move out of the rental unit on or before September 7, 2010.
2. The Tenant shall pay to the Landlord \$4,246.39*, 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**

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A. Amount the Tenant 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 12, 2008 to July 21, 2010	-\$30.31
Amount owing to the Landlord on the order date: (total of previous boxes)		\$4,246.39
Additional costs the Tenant 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 Tenant must pay the Landlord if the tenancy is terminated:		\$4,416.39, + \$23.01 per day starting September 1, 2010

B. Amount the Tenant 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 Tenant must pay to the Landlord:		\$170.00
Total the Tenant must pay to continue the tenancy:	On or before August 31, 2010	\$5,070.00