



Order under Section 21.2 of the
Statutory Powers Procedure Act
and the **Residential Tenancies Act, 2006**

File Number: HOL-11539-21-RV

In the matter of: 111 PEDWELL STREET
NEWCASTLE ON L1B0E1

Between: Angai Vimalanathan

and

Racheal O' Callaghan
Randall Erwin Patterson

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

April 1, 2022

Landlord and Tenant Board

Landlord

Tenants

Review Order

Angai Vimalanathan (the 'Landlord') applied for an order to terminate the tenancy and evict Randall Erwin Patterson and Racheal O' Callaghan (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe. (L1 Application)

The Landlord also applied for an order to terminate the tenancy and evict Randall Erwin Patterson and Racheal O' Callaghan (the 'Tenants') because they, another occupant of the rental unit or someone they permitted in the residential complex have wilfully or negligently caused undue damage to the premises. The Landlord has also applied for an order requiring the Tenants to compensate the Landlord for the damage. The Landlord also claimed compensation for each day the Tenants remained in the unit after the termination date. (L2 Application)

These applications were resolved by order HOL-11539-21 issued on January 7, 2022.

On January 17, 2022, the Tenants requested a review of the order alleging that they were not reasonably able to participate in the hearing held on October 5, 2021 because they had to attend the Ontario Court of Justice on the same date.

The Tenants' request was heard by way of video conference on March 22, 2022. The Landlord, the Landlord's Legal Representative, Alistair Trent and the Tenant, Racheal O'Callaghan attended the hearing.

The parties mutually agreed to resolve all matters at issue and requested an order on consent. I was satisfied that the parties understood the consequences of the joint submission.

On consent of the parties it is ordered:

1. The Tenant's request to review is granted.

2. Order HOL-11539-21 issued on January 7, 2022 is cancelled and replaced by the following:
3. The tenancy is terminated as of May 31, 2022. The Tenants must move out of the rental unit on or before May 31, 2022.
4. The Tenants shall pay to the Landlord \$26,000.00, which represents the amount of rent owing and the cost of filing the application.
5. If the Tenants do not vacate the rental unit on or before May 31, 2022, the Tenants shall also pay to the Landlord \$60.82 per day for compensation for the use of the unit starting June 1, 2022 to the date the Tenants move out of the unit.
6. If the unit is not vacated on or before May 31, 2022, then starting June 1, 2022, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
7. 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 June 1, 2022.
8. If the Tenants does not pay the Landlord the full amount owing on or before April 12, 2022, the Tenants will start to owe interest. This will be simple interest calculated from April 13, 2022 at 2.00% annually on the balance outstanding.

April 1, 2022
Date Issued



Dawn Wickett
Member, Landlord and Tenant Board

Head Office
777 Bay Street, 12th Floor
Toronto Ontario M5G2E5

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 November 30, 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.