



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

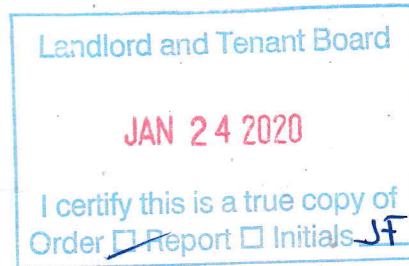
**File Number: HOL-06085-19**

**In the matter of:** 104 GOLDEN SPRINGS DRIVE WEST  
BRAMPTON ON L7A4N7

**Between:** Riaz Din Landlord

**and**

Khaila Seaton Tenants  
Petra Jeffers



Riaz Din (the 'Landlord') applied for an order to terminate the tenancy and evict Petra Jeffers and Khaila Seaton (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was heard in Mississauga on January 22, 2020. Only the Landlord, attended the hearing.

**Determinations:**

1. The Tenants have not paid the total rent the Tenants were required to pay for the period from September 1, 2019 to January 31, 2020. Because of the arrears, the Landlord served a Notice of Termination effective October 25, 2019.
2. The Landlord collected a rent deposit of \$2,300.00 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 September 21, 2017 to October 25, 2019.
4. The Tenants paid \$3,400.00 after the application was filed.
5. 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 be unfair to grant relief from eviction pursuant to subsection 83(1) of the Act.

**It is ordered that:**

1. Unless the Tenants void the order as set out below, the tenancy between the Landlord and the Tenants is terminated. The Tenants must move out of the rental unit on or before February 4, 2020.

2. The Tenants shall pay to the Landlord \$690.75\*, which represents the amount of rent owing and compensation up to January 24, 2020, less the rent deposit and interest the Landlord owes on the rent deposit.
3. The Tenants shall also pay to the Landlord \$78.90 per day for compensation for the use of the unit starting January 25, 2020 to the date the Tenants move out of the unit.
4. The Tenants shall also pay to the Landlord \$175.00 for the cost of filing the application.
5. If the Tenants do not pay the Landlord the full amount owing\* on or before February 4, 2020, the Tenants will start to owe interest. This will be simple interest calculated from February 5, 2020 at 3.00% annually on the balance outstanding.
6. If the unit is not vacated on or before February 4, 2020, then starting February 5, 2020, 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 February 5, 2020.
8. If the Tenants wish to void this order and continue the tenancy, the Tenants must pay to the Landlord or to the Board in trust:
  - i) \$3,700.00 if the payment is made on or before January 31, 2020, or
  - ii) \$6,100.00 if the payment is made on or before February 4, 2020\*\*.If the Tenants do not make full payment in accordance with this paragraph and by the appropriate deadline, then the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
9. The Tenants may make a motion to the Board under subsection 74(11) of the Act to set aside this order if they pay the amount required under that subsection on or after February 5, 2020 but before the Sheriff gives vacant possession to the Landlord. The Tenants are only entitled to make this motion once during the period of the tenancy agreement with the Landlord.

**January 24, 2020**

**Date Issued**

Central – RO  
3 Robert Speck Pkwy, 5<sup>th</sup> Floor  
Mississauga, ON L4Z 2G5

  
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Alex Brkic  
Member, Landlord and Tenant Board

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 August 5, 2020 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.

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

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



**Schedule 1  
SUMMARY OF CALCULATIONS**

File Number: HOL-06085-19

**A. Amount the Tenants must pay if 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)	September 1, 2019 to October 25, 2019	-\$702.40
Less the amount the Tenants paid to the Landlord		-\$3,400.00
Plus compensation: (from the day after the termination date in the Notice to the date of the order)	October 26, 2019 to January 24, 2020	\$7,179.90
Less the rent deposit:		-\$2,300.00
Less the interest owing on the rent deposit:	September 21, 2017 to October 25, 2019	-\$86.75
Amount owing to the Landlord on the order date: (total of previous boxes)		<b>\$690.75</b>
Additional costs the Tenants must pay to the Landlord:		\$175.00
Plus daily compensation owing for each day of occupation starting January 25, 2020:		\$78.90 (per day)
<b>Total the Tenants must pay the Landlord if the tenancy is terminated:</b>		<b>\$865.75, + \$78.90 per day starting January 25, 2020</b>

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

**1. If the payment is made on or before January 31, 2020:**

<b>Reasons for amount owing</b>	<b>Period</b>	<b>Amount</b>
Arrears:	September 1, 2019 to January 31, 2020	\$6,925.00
Less the amount the Tenants paid to the Landlord:		-\$3,400.00
Additional costs the Tenants must pay to the Landlord:		\$175.00
<b>Total the Tenants must pay to continue the tenancy:</b>	On or before January 31, 2020	<b>\$3,700.00</b>

2. If the payment is made after January 31, 2020 but on or before February 4, 2020:

Reasons for amount owing	Period	Amount
Arrears:	September 1, 2019 to February 29, 2020	\$9,325.00
Less the amount the Tenants paid to the Landlord:		-\$3,400.00
Additional costs the Tenants must pay to the Landlord:		\$175.00
<b>Total the Tenants must pay to continue the tenancy:</b>	On or before February 4, 2020	\$6,100.00