



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

**File Number:** EAL-98229-21

**In the matter of:** UNIT A, 826 WILLOW AVENUE  
ORLEANS ON K1E1C7

**Between:** Short And Suite BNB Inc.

**and**

Jennifer Murphy

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

**April 1, 2022**

Landlord and Tenant Board

Landlord

Tenant

Short And Suite BNB Inc. (the 'Landlord') applied for an order to terminate the tenancy and evict Jennifer Murphy (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application heard by video conference on March 29, 2022.

The Landlord, Rasna Arora, the Landlord's Agent, Genevieve Walton, and the Tenant attended the hearing.

**Determinations:**

1. The Tenant has not paid the total rent the Tenant was required to pay for the period from July 1, 2021 to March 31, 2022. Because of the arrears, the Landlord served a Notice of Termination effective October 11, 2021.
2. The Tenant is in possession of the rental unit.
3. The lawful monthly rent is \$1,850.00.
4. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
5. The Landlord collected a rent deposit of \$1,850.00 from the Tenant and this deposit is still being held by the Landlord.
6. Interest on the rent deposit is owing to the Tenant for the period from February 24, 2020 to October 11, 2021.
7. The amount outstanding to March 31, 2022, inclusive of rent arrears and costs, is \$16,836.00.

8. At the hearing, the Tenant admitted to not being able to afford the current rent and had no plan to be able to pay back the rental arrears owing.
9. Since the tenancy is no longer sustainable, this order will result in a final, non-voidable termination of this tenancy as of April 20, 2022. The application is amended to include an L3 application for termination of the tenancy. As a consequence, the Tenant does not have the option to void the eviction order under subsections 74(4) or 74(11) of the *Residential Tenancies Act, 2006* (the 'Act') by paying the outstanding rent arrears.
10. This order contains all of the reasons in this matter and no further reasons will be issued.

**It is ordered that:**

1. The tenancy between the Landlord and the Tenant is terminated as of April 20, 2022. The Tenant must move out of the rental unit on or before **April 20, 2022**.
2. The Tenant shall pay to the Landlord **\$14,827.04\***, which represents the amount of rent owing and compensation up to April 1, 2022, less the rent deposit and interest the Landlord owes on the rent deposit.
3. The Tenant shall also pay to the Landlord **\$60.82** per day for compensation for the use of the unit starting April 2, 2022 to the date the Tenant moves out of the unit.
4. The Tenant shall also pay to the Landlord **\$186.00** for the cost of filing the application.
5. If the Tenant does not pay the Landlord the full amount owing\* on or before April 20, 2022, the Tenant will start to owe interest. This will be simple interest calculated from April 21, 2022 at 2.00% annually on the balance outstanding.
6. If the unit is not vacated on or before April 20, 2022, then starting April 21, 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 April 21, 2022.

**April 1, 2022**  
**Date Issued**

*Michael Di Salle*  
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Michael Di Salle  
Member, Landlord and Tenant Board

Eastern-RO  
255 Albert Street, 4th Floor  
Ottawa ON K1P6A9

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 October 21, 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.

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

**Schedule 1  
SUMMARY OF CALCULATIONS**

**File Number: EAL-98229-21**

**A. Amount the Tenant must pay the Landlord:**

| <b>Reasons for amount owing</b>   | <b>Period</b>                         | <b>Amount</b>  |
|---|---------------------------------------|--|
| Arrears: (up to the termination date in the Notice of Termination)                                  | July 1, 2021 to October 11, 2021      | \$6,219.04   |
| Plus compensation: (from the day after the termination date in the Notice to the date of the order) | October 12, 2021 to April 1, 2022     | \$10,461.04  |
| Less the rent deposit:  |                                       | -\$1,850.00  |
| Less the interest owing on the rent deposit:  | February 24, 2020 to October 11, 2021 | -\$3.04  |
| Amount owing to the Landlord on the order date: (total of previous boxes)                           |                                       | <b>\$14,827.04</b>   |
| Additional costs the Tenant must pay to the Landlord:   |                                       | \$186.00   |
| Plus daily compensation owing for each day of occupation starting April 2, 2022:                    |                                       | \$60.82 (per day)  |
| <b>Total the Tenant must pay the Landlord:</b>  |                                       | <b>\$15,013.04, +<br/>\$60.82 per day<br/>starting April 2, 2022</b> |