



Order under Section 69  
Residential Tenancies Act, 2006

File Number: SWL-47151-20

**In the matter of:** 4, 5 LINNWOOD AVENUE  
CAMBRIDGE ON N1R1V2

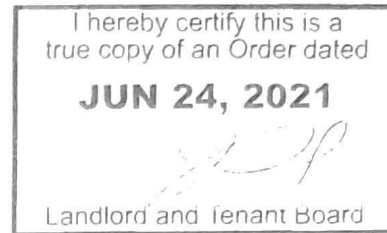
**Between:** 5 Linnwood Holdings

Landlord

and

Ashley Burrows  
Jayme Smith

Tenants



5 Linnwood Holdings (the 'Landlord') applied for an order to terminate the tenancy and evict Jayme Smith and Ashley Burrows (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was heard by videoconference on June 17, 2021. Only the Landlord's Legal Representative, Carmen Dawdy, attended the hearing. As of 10:47 a.m., the Tenants were not present or represented at the hearing although properly served with notice of this hearing by the Board.

**Determinations:**

1. The Tenants have not paid the total rent the Tenants were required to pay for the period from October 1, 2020 to June 30, 2021. Because of the arrears, the Landlord served a Notice of Termination effective October 22, 2020.
2. The Tenants vacated the rental unit on December 20, 2020. The Tenants were in possession of the rental unit on the date the application was filed.
3. The lawful monthly rent was \$1,695.00.
4. The Tenants have made no payments since the application was filed.
5. The Landlord collected a rent deposit of \$1,695.00 from the Tenants and this deposit is still being held by the Landlord.
6. Interest on the rent deposit is owing to the Tenants for the period from May 5, 2020 to October 22, 2020.

**It is ordered that:**

1. The tenancy is terminated as of December 20, 2020, the date the Tenants gave vacant possession of the rental unit to the Landlord.

2. The Tenants shall pay to the Landlord \$2,801.56\*, which represents the amount of rent owing and compensation up to December 20, 2020, less the rent deposit and interest the Landlord owes on the rent deposit.
3. The Tenants shall also pay to the Landlord \$186.00 for the cost of filing the application.
4. If the Tenants do not pay the Landlord the full amount owing\* on or before July 4, 2021, the Tenants will start to owe interest. This will be simple interest calculated from July 5, 2021 at 2.00% annually on the balance outstanding.

**June 24, 2021**  
**Date Issued**



**Dawn Sullivan**  
Member, Landlord and Tenant Board

South West-RO  
150 Dufferin Avenue, Suite 400, 4th Floor  
London ON N6A5N6

If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.

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

Schedule 1  
SUMMARY OF CALCULATIONS

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**A. Amount the Tenants must pay as the tenancy is terminated:**

Reasons for amount owing	Period	Amount
Arrears: (up to the termination date in the Notice of Termination)	October 1, 2020 to October 22, 2020	\$1,225.97
Plus compensation: (from the day after the termination date in the Notice to the date of vacant possession)	October 23, 2020 to December 20, 2020	\$3,288.07
Less the rent deposit:		-\$1,695.00
Less the interest owing on the rent deposit:	May 5, 2020 to October 22, 2020	-\$17.48
Amount owing to the Landlord on the order date: (total of previous boxes)		<b>\$2,801.56</b>
Additional costs the Tenants must pay to the Landlord:		\$186.00
<b>Total the Tenants must pay the Landlord as the tenancy is terminated:</b>		<b>\$2,987.56</b>