



Order under Section 78(6)  
**Residential Tenancies Act, 2006**

**File Number:** SOL-26924-22

**In the matter of:** UPPER, 52 LOUIS STREET  
PORT COLBORNE ON L3K1C5

**Between:** Robert Harper  
Bashkim Lekaj

**and**

Paul Girling

I hereby certify this is a  
true copy of an Order dated  
**02/24/2022**  
LL  
Landlord and Tenant Board

Landlords

Tenant

Robert Harper and Bashkim Lekaj (the 'Landlords') applied for an order to terminate the tenancy and evict Paul Girling (the 'Tenant') and for an order to have the Tenant pay the rent the Tenant owes because the Tenant failed to meet a condition specified in the order issued by the Board on February 1, 2022 with respect to application SOL-23318-21.

**Determinations:**

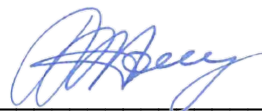
1. The order provided that the Landlords could apply to the Board under section 78 of the *Residential Tenancies Act, 2006* (the 'Act') without notice to the Tenant to terminate the tenancy and evict the Tenant if the Tenant did not meet certain condition(s) specified in the order.
2. I find that the Tenant has not met the following conditions specified in the order: **The Tenant did not pay \$885.50 rent in full on or before February 1, 2022. The Tenant did not pay \$750.00 arrears on or before February 4, 2022.**
3. The previous application included a request for an order for the payment of arrears of rent. The resulting order required the Tenant to pay rent or some or all of the arrears of rent. Accordingly, in addition to eviction, the Landlords are entitled to request an order for the payment of arrears of rent and compensation.
4. The Tenant was ordered to pay \$10,047.00 for rent arrears and the costs related to the Landlord's application fee in Order SOL-23318-21. The amount that is still owing from that order is \$10,047.00 and that amount is included in this order. As a result, the previous order SOL-23318-21 is cancelled.

5. Since the date of the order, the Tenant has failed to pay the full rent that became owing for the period from February 1, 2022 to February 28, 2022.

**It is ordered that:**

1. Order SOL-23318-21 is cancelled.
2. The tenancy between the Landlords and the Tenant is terminated. The Tenant must move out of the rental unit on or before March 7, 2022.
3. The Tenant shall pay to the Landlords \$10,195.70\*. This amount represents the rent owing up to February 24, 2022 and the costs related to the application fee for the previous application.
4. The Tenant shall also pay to the Landlords \$29.11 per day for compensation for the use of the unit starting February 25, 2022 to the date the Tenant moves out of the unit.
5. If the Tenant does not pay the Landlords the full amount owing\* on or before March 7, 2022, the Tenant will start to owe interest. This will be simple interest calculated from March 8, 2022 at 2.00% annually on the balance outstanding.
6. If the unit is not vacated on or before March 7, 2022, then starting March 8, 2022, the Landlords 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 Landlords on or after March 8, 2022.

**February 24, 2022**  
**Date Issued**



\_\_\_\_\_  
Vladislav Shustov  
Member, Landlord and Tenant Board

Southern-RO  
119 King Street West, 6th Floor  
Hamilton ON L8P4Y7

The tenant has until March 6, 2022 to file a motion with the Board to set aside the order under s. 78(9) of the Act. If the tenant files the motion by March 6, 2022 the order will be stayed and the Board will schedule a hearing.

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 September 8, 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 the attached Summary of Calculations.

**Summary of Calculations**

**File Number: SOL-26924-22**

**Amount the Tenant must pay**

<b>Reason for amount owing</b>	<b>Period</b>	<b>Amount</b>
Amount owing from previous order or settlement plus New Arrears and New NSF cheque charges and related administration charges		\$10,195.70
Less the rent deposit:		-\$0.00
Less the interest owing on the rent deposit		-\$0.00
Plus daily compensation owing for each day of occupation starting February 25, 2022		\$29.11 (per day)
<b>Total the Tenant must pay the Landlord:</b>		<b>\$10,195.70, + \$29.11 per day starting February 25, 2022</b>