



Order under Section 69
Residential Tenancies Act, 2006

File Number: HOL-09184-20

In the matter of: 87 BAYCLIFFE CRESCENT
BRAMPTON ON L7A 3Z1

Between: Preetinder Kaur Landlords
Mandeep Singh

and

Celeste Delgado Tenants
Daniel Solano
Mariell Munoz
Miguel Delgado

Preetinder Kaur and Mandeep Singh (the 'Landlords') applied for an order to terminate the tenancy and evict Miguel Delgado, Mariell Munzo, Daniel Solano and Celeste Delgado (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe. "Munoz" is a misspelling and the title has been amended.

This application was heard by video hearing on June 28, 2021. Only the Landlord, Mandeep Singh, attended the hearing.

Determinations:

1. The Tenants have not paid the total rent the Tenants were required to pay for the period from November 1, 2020 to June 30, 2021. Because of the arrears, the Landlords served a Notice of Termination effective December 16, 2020.
2. The Landlords collected a rent deposit of \$972.00 from the Tenants and this deposit is still being held by the Landlords.
3. Interest on the rent deposit is owing to the Tenants for the period from October 7, 2020 to December 16, 2020.
4. 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 Landlords and the Tenants is terminated. The Tenants must move out of the rental unit on or before August 10, 2021.
2. The Tenants shall pay to the Landlords \$19,912.52*, which represents the amount of rent owing and compensation up to July 30, 2021, less the rent deposit and interest the Landlords owe on the rent deposit.
3. The Tenants shall also pay to the Landlords \$76.68 per day for compensation for the use of the unit starting July 31, 2021 to the date the Tenants move out of the unit.
4. The Tenants shall also pay to the Landlords \$186.00 for the cost of filing the application.
5. If the Tenants do not pay the Landlords the full amount owing* on or before August 10, 2021, the Tenants will start to owe interest. This will be simple interest calculated from August 11, 2021 at 2.00% annually on the balance outstanding.
6. If the unit is not vacated on or before August 10, 2021, then starting August 11, 2021, 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 August 11, 2021.
8. If the Tenants wish to void this order and continue the tenancy, the Tenants must pay to the Landlords or to the Board in trust:
 - i) \$21,175.80 if the payment is made on or before July 31, 2021, or
 - ii) \$23,508.00 if the payment is made on or before August 10, 2021**.If the Tenants do not make full payment in accordance with this paragraph and by the appropriate deadline, then the Landlords 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 August 11, 2021 but before the Sheriff gives vacant possession to the Landlords. The Tenants are only entitled to make this motion once during the period of the tenancy agreement with the Landlords.



Donald MacVicar
Member, Landlord and Tenant Board

July 30, 2021
Date Issued

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 February 11, 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.
- ** Refer to section B on the attached Summary of Calculations.

**Schedule 1
SUMMARY OF CALCULATIONS**

File Number: HOL-09184-20

A. Amount the Tenants must pay if the tenancy is terminated:

| Reasons for amount owing | Period | Amount |
|---|---------------------------------------|--|
| Arrears: (up to the termination date in the Notice of Termination) | November 1, 2020 to December 16, 2020 | \$3,559.00 |
| Plus compensation: (from the day after the termination date in the Notice to the date of the order) | December 17, 2020 to July 30, 2021 | \$17,329.68 |
| Less the rent deposit: | | -\$972.00 |
| Less the interest owing on the rent deposit: | October 7, 2020 to December 16, 2020 | -\$4.16 |
| Amount owing to the Landlords on the order date:(total of previous boxes) | | \$19,912.52 |
| Additional costs the Tenants must pay to the Landlords: | | \$186.00 |
| Plus daily compensation owing for each day of occupation starting July 31, 2021: | | \$76.68 (per day) |
| Total the Tenants must pay the Landlords if the tenancy is terminated: | | \$20,098.52, + \$76.68 per day starting July 31, 2021 |

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

1. If the payment is made on or before July 31, 2021:

| Reasons for amount owing | Period | Amount |
|--|-----------------------------------|--------------------|
| Arrears: | November 1, 2020 to July 31, 2021 | \$20,989.80 |
| Additional costs the Tenants must pay to the Landlords: | | \$186.00 |
| Total the Tenants must pay to continue the tenancy: | On or before July 31, 2021 | \$21,175.80 |

2. If the payment is made after July 31, 2021 but on or before August 10, 2021:

| Reasons for amount owing | Period | Amount |
|--|-------------------------------------|---------------|
| Arrears: | November 1, 2020 to August 31, 2021 | \$23,322.00 |
| Additional costs the Tenants must pay to the Landlords: | | \$186.00 |
| Total the Tenants must pay to continue the tenancy: | On or before August 10, 2021 | \$23,508.00 |

2021 CanLII 103176 (ON LTB)