



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

File Number: TSL-22178-21

In the matter of: 2428 DRESS CIRCLE CRESCENT
OSHAWA ON L1L0L9

Between: Wenming Yu Landlords
Lingyun Gao

and

Aisha Stephenson Tenant

Wenming Yu and Lingyun Gao (the 'Landlords') applied for an order to terminate the tenancy and evict Aisha Stephenson (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 October 19, 2020 with respect to application TEL-07536-19.

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 condition specified in the order: the Tenant did not pay the lawful rent for May on or before May 15, 2021.
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. Since the date of the order, the Tenant has failed to pay the full rent that became owing for the period from April 15, 2021 to June 14, 2021.
5. The Landlords collected a rent deposit of \$2,250.00 from the Tenant and this deposit is still being held by the Landlords.
6. Interest on the rent deposit is owing to the Tenant for the period from July 31, 2018 to June 4, 2021.

It is ordered that:

1. The tenancy between the Landlords and the Tenant is terminated. The Tenant must move out of the rental unit on or before June 15, 2021.
2. The Tenant shall pay to the Landlords \$461.35*. This amount represents the rent owing up to June 4, 2021 and the costs related to the application fee for the previous application, less the rent deposit and interest the Landlords owe on the rent deposit.
3. The Tenant shall also pay to the Landlords \$73.97 per day for compensation for the use of the unit starting June 5, 2021 to the date the Tenant moves out of the unit.
4. If the Tenant does not pay the Landlords the full amount owing* on or before June 15, 2021, the Tenant will start to owe interest. This will be simple interest calculated from June 16, 2021 at 2.00% annually on the balance outstanding.
5. If the unit is not vacated on or before June 15, 2021, then starting June 16, 2021, the Landlords may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
6. 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 June 16, 2021.

June 4, 2021
Date Issued



Jim McMaster
Member, Landlord and Tenant Board

Toronto South-RO
15 Grosvenor Street, 1st Floor
Toronto ON M7A 2G6

The tenant has until June 14, 2021 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 June 14, 2021 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 December 16, 2021 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

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Amount the Tenant must pay

Reason for amount owing	Period	Amount
Amount owing from previous order or settlement plus New Arrears and New NSF cheque charges and related administration charges		\$2,803.42
Less the rent deposit:		-\$2,250.00
Less the interest owing on the rent deposit	July 31, 2018 to June 4, 2021	-\$92.07
Plus daily compensation owing for each day of occupation starting June 5, 2021		\$73.97 (per day)

Total the Tenant must pay the Landlord:	\$461.35, + \$73.97 per day starting June 5, 2021
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