



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

**File Number:** CEL-96720-20

**In the matter of:** BASEMENT UNIT, 5438 MIDDLEBURY DRIVE  
MISSISSAUGA ON L5M5E8

**Between:** Rashida Begum Landlord

**and**

Anila Tanweer Tenants  
Tanweer Ehtesham

Rashida Begum (the 'Landlord') applied for an order to terminate the tenancy and evict Tanweer Ehtesham and Anila Tanweer (the 'Tenants') because the Landlord requires possession of the rental unit for the purpose of residential occupation. The Landlord also claimed compensation for each day the Tenants remained in the unit after the termination date.

This application was heard via videoconference on June 17, 2021 at 9:00 a.m.

The Landlord, Rashida Begum, assisted by Munsah Ahmed, a friend that was non-compensated attended the hearing. As at 2:32 p.m. the name Tanweer Ehtesham, was noted as attending the hearing however when requested to unmute did not do so. Tenant Anila Tanweer was not present or represented at the hearing though being properly served with the Notice of Hearing by the Board.

The hearing proceeded without the Tenants at 2:32 p.m.

**Determinations:**

1. The Landlord in good faith requires possession of the rental unit for the purpose of residential occupation.
2. The Landlord paid the Tenant compensation equal to one month's rent on October 26, 2021 via a Bank of Montreal money order dated 2020-10-26.
3. The Landlord has also provided a Xpresspost receipt dated stamped October 25, 2021 that supports that they sent the money order to the Tenant.
4. The Landlord submitted that the Tenant did not cash the money order but returned it to the Landlord advising them that the bank refused to accept the money order.

5. 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. Although it appears that one of the Tenants did attend the hearing, they did not present evidence or submissions in support of granting relief from eviction and no circumstances were disclosed at the hearing or appeared in the Board file

**It is ordered that:**

1. The tenancy between the Landlord and the Tenants is terminated. The Tenants must move out of the rental unit on or before November 27, 2021.
2. The Tenants shall pay to the Landlord \$10,648.95, which represents compensation for the use of the unit from November 1, 2020 to November 16, 2021.
3. The Tenants shall also pay to the Landlord \$27.95 per day for compensation for the use of the unit from November 17, 2021 to the date they move out of the unit.
4. The Tenants shall also pay to the Landlord \$186.00 for the cost of filing the application.
5. If the Tenants do not pay the Landlord the full amount owing on or before November 27, 2021, they will start to owe interest. This will be simple interest calculated from November 28, 2021 at 2.00% annually on the balance outstanding.
6. If the unit is not vacated on or before November 27, 2021, then starting November 28, 2021, 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 November 28, 2021.

**November 16, 2021**  
**Date Issued**



Peter Pavlovic  
Member, Landlord and Tenant Board

Central-RO  
3 Robert Speck Pkwy, 5th Floor  
Mississauga ON L4Z2G5

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 May 28, 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.