



Order under Section 87(1)
Residential Tenancies Act, 2006

File Number: NOL-41440-20

In the matter of: 3, 1127 LORNE STREET
SUDBURY ON P3C4S8

Between: H2O Control Products Inc.

Landlord

and

Lee Itawanakwat
Rochelle Lynk

Tenants

H2O Control Products Inc. (the 'Landlord') applied for an order to terminate the tenancy and evict Rochelle Lynk and Lee Itawanakwat (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was heard by video conference on June 17, 2021 beginning at 9:00 a.m.

The Landlord, Brent Marcon, and the Tenants 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 Landlord served a Notice of Termination effective November 18, 2020.
2. The Tenants are in possession of the rental unit.
3. The lawful monthly rent is \$1,000.00.
4. The Tenants paid \$7,800.00 after the application was filed.
5. The Landlord is holding a rent deposit of \$1,000.00.
6. At the hearing, both parties disputed the amount of arrears owing. I asked for both parties to submit copies of rental receipts issued and received. After reading the submissions, I find that the submissions correspond with the evidence presented by the Landlord.
7. Therefore, the arrears of rent owing for the period ending June 30, 2021 total \$200.00.

8. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
9. 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 not be unfair to grant relief from eviction subject to the condition(s) set out in this order pursuant to subsection 83(1)(a) and 204(1) of the Act.
10. This order contains all of the reasons in this matter and no further reasons will be issued.

It is ordered that:

1. The Tenants shall pay to the Landlord **\$200.00**, which represents the amount of rent owing up to June 30, 2021.
2. The Tenants shall also pay to the Landlord **\$186.00** for the cost of filing the application.
3. If the Tenants do not pay the Landlord the full amount owing on or before July 15, 2021, the Tenants will start to owe interest. This will be simple interest calculated from July 16, 2021 at 2.00% annually on the balance outstanding.

June 24, 2021
Date Issued

Michael Di Salle
Michael Di Salle
Member, Landlord and Tenant Board

Northern-RO
199 Larch Street, Provincial Building, Suite 301
Sudbury ON P3E5P9

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