



Order under Section 69
Residential Tenancies Act, 2006

File Number: TNL-28711-20

In the matter of: 812, 63 CALLOWHILL DRIVE
TORONTO ON M9R3L6

Between: Dixon Holdings Landlord

and

Racquel Douglas Tenant

Dixon Holdings (the 'Landlord') applied for an order to terminate the tenancy and evict Racquel Douglas (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on April 26, 2021. Only the Landlord's Agent, Charles Berman, attended the hearing. As of 9:48 a.m., the Tenant was not present or represented at the hearing although properly served with notice of this hearing by the Board.

Determinations:

1. The Tenant has not paid the total rent the Tenant was required to pay for the period from June 1, 2020 to April 30, 2021. Because of the arrears, the Landlord served a Notice of Termination effective July 31, 2020.
2. The Tenant is in possession of the rental unit.
3. The lawful monthly rent is \$1,522.13.
4. The Landlord collected a rent deposit of \$1,349.00 from the Tenant and this deposit is still being held by the Landlord.
5. Interest on the rent deposit is owing to the Tenant for the period from April 1, 2014 to July 31, 2020.
6. A payment plan for this application, signed by both parties, was filed with the Board prior to the hearing. The payment plan had not been processed by the date of the hearing.
7. At the hearing, the Landlord's Agent confirmed the terms of the payment agreement and requested an order reflecting the agreement.

8. The Landlord’s Agent asked to amend the L1/L9 update to reflect a payment of \$1,929.20 by the Tenant.
9. The amount outstanding to April 30, 2021, inclusive of rent arrears (\$3,189.45) and costs (\$186.00) is \$3,372.45.

It is ordered that:

1. The Tenant shall pay to the Landlord \$3,372.45, which represents the arrears of rent (\$3,189.45), and costs (\$186.00) outstanding for the period ending April 30, 2021.
2. The Landlord’s application for eviction of the Tenant is denied on the condition that:
 - (a) The Tenant shall make the following payments to the Landlord in respect of the monies owing under paragraph 1 of this order:

Date Payment Due	Amount of Payment
May 20, 2021	\$377.87 (costs and arrears)
June 20, 2021	\$377.87 (arrears)
July 20, 2021	\$377.87 (arrears)
August 20, 2021	\$377.87 (arrears)
September 20, 2021	\$377.87 (arrears)
October 20, 2021	\$377.87 (arrears)
November 20, 2021	\$377.87 (arrears)

December 20, 2021	\$377.87 (arrears)
January 20, 2022	\$349.39 (arrears)

(b) The Tenant shall also pay the Landlord the rent for the months of May 2021 up to and including January 2022 in full, on or before the 20th day of each corresponding month.

3. If the Tenant fails to make any of the payments in accordance with paragraph 2, and by the dates required, then:

(a) The Landlord may apply under section 78 of the *Residential Tenancies Act, 2006* (the 'Act') for an order terminating the tenancy and evicting the Tenant, and for the payment of any new arrears of rent and NSF charges not already ordered under paragraph 1 of this order. The Landlord must make the application within 30 days of a breach of a condition set out in paragraph 2 of this order.

(b) The balance owing under paragraph 1 of this order shall become payable on the day following the date of default. The monies owing shall bear interest at the post-judgment interest rate determined under subsection 207(7) of the Act.

May 31, 2021
Date Issued



Kathleen Wells
Member, Landlord and Tenant Board

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