



Order under Section 69
Residential Tenancies Act, 2006

File Number: SOL-20471-21

In the matter of: UPPER, 73 MUNN STREET
HAMILTON ON L8V1K2

Between: John Harnish Landlords
Aida Rodriguez

and

Allan Harnish Tenant

John Harnish and Aida Rodriguez (the 'Landlords') applied for an order to terminate the tenancy and evict Allan Harnish (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by video conference on July 13, 2021.

Only the Landlords attended the hearing. As of 1:51 p.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 February 1, 2021 to March 31, 2021. Because of the arrears, the Landlords served a Notice of Termination effective February 20, 2021.
2. The Tenant vacated the rental unit on March 31, 2021. The Tenant was in possession of the rental unit on the date the application was filed.
3. The lawful monthly rent was \$750.00.
4. The Landlords are not holding a last month's rent deposit.
5. The Landlords requested that the rental arrears owing to them under this order be reduced by \$750.00 in order to compensate the Tenant for 1 month's rent as the Landlords served the Tenants with an N13 notice and owe the Tenant this amount of compensation.

It is ordered that:

1. The tenancy is terminated as of March 31, 2021, the date the Tenant gave vacant possession of the rental unit to the Landlords.
2. The Tenant shall pay to the Landlords \$750.00, which represents the amount of rent owing and compensation up to March 31, 2021, less the amount credited to the Tenant by the Landlords with respect to the N13 notice.
3. The Tenant shall also pay to the Landlords \$186.00 for the cost of filing the application.
4. If the Tenant does not pay the Landlords the full amount owing on or before July 31, 2021, the Tenant will start to owe interest. This will be simple interest calculated from August 1, 2021 at 2.00% annually on the balance outstanding.

July 20, 2021
Date Issued

Southern-RO
119 King Street West, 6th Floor
Hamilton ON L8P4Y7



Richard Ferriss
Member, Landlord and Tenant Board

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