



Order under Section 69
Residential Tenancies Act, 2006

File Number: CEL-01855-21

In the matter of: 9 HAWKINS COURT
BRAMPTON ON L6S2N7

Between: Balwinder Singh Chahal Landlords
Jatinder Kaur Chahal

and

Anthony Brigmohan Tenants
Chantel Brigmohan

Balwinder Singh Chahal and Jatinder Kaur Chahal (the 'Landlords') applied for an order to terminate the tenancy and evict Chantel Brigmohan and Anthony Brigmohan (the 'Tenants') because they have been persistently late in paying their rent.

This application was heard by videoconference on September 23, 2021. The Landlord, Balwinder Singh Chahal, was represented by Ian Gardiner. The Tenant, Chantel Brigmohan, attended and was represented by Saurabh Singhal.

Determinations:

1. The application is based on a Notice to End the Tenancy (N8) because the Tenants have persistently failed to pay the rent on the date it was due, served on the Tenants July 21, 2021 with a termination date of September 30, 2021.
2. The tenancy is month to month.
3. Rent is due on the first day of the month. For the year 2021, the rent was paid piecemeal on the following dates: January (paid 1, 4 and 7), February (paid 1 and 9), March (1, 2, and 12), April (1, 3, 9 and 16), May (1, 2, and 13), June (1, 2 and 13), July (2 and 6).
4. The Tenant does not dispute the late payments. She and her husband were/are getting divorced and she struggled financially but she states she is currently in a better financial position to pay the rent on time going forward. The Tenant resides with her dependent brother. The Tenant is seeking relief from eviction.
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 not be unfair to grant relief from eviction pursuant to subsection 83(1) of the Act.

It is ordered that:

1. The Landlord's application for eviction is denied on the condition that the Tenants, for a period of twelve months from the date of the order, pay the rent on time and in full.
2. If the Tenant fails to make any of the payments in accordance with paragraph 1, and by the dates required, then the Landlord may apply under section 78 of the Residential Tenancies Act 2006 (the 'Act') for an order terminating the tenancy and evicting the Tenants. The Landlord must make the application within 30 days of a breach of the condition set out in paragraph 1 of this order.

January 5, 2022

Date Issued



Dawn King

Member, Landlord and Tenant Board

Central-RO
3 Robert Speck Pkwy, 5th Floor
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If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.