



Order under Section 69
Residential Tenancies Act, 2006

File Number: SWL-51776-21

In the matter of: B, 24 MILFOIL CRESCENT
KITCHENER ON N2E3L2

Between: Daniel Rangaswamy Landlords
Satishwar Rangaswamy

and

Constance Starr Tenant

Daniel Rangaswamy and Satishwar Rangaswamy (the 'Landlords') applied for an order to terminate the tenancy and evict Constance Starr (the 'Tenant') because the Landlord requires possession of the rental unit for the purpose of residential occupation.

This application was heard by videoconference on August 13, 2021. Only the Landlords attended the hearing. As of 10:40 a.m. the Tenant was not present or represented although properly served with the notice of this hearing by the Board. The Landlords were represented by Diane McInnis. The Landlords' son, Logan Rangaswamy ('LR') attended the hearing as a witness for the Landlords.

Determinations:

1. Based on the Landlords' uncontested evidence, I am satisfied on a balance of probabilities that the Landlords' son, LR, in good faith requires possession of the rental unit for the purpose of residential occupation.
2. LR testified that he currently resides in a rooming house but his lease is expiring on August 15, 2021. He would then have to move into his parents' house until and unless he is permitted to move into the rental unit. He testified that he would like to move into the rental unit for at least one year and that living at the rental unit would be convenient for his school and work.
3. The Landlords paid the Tenant compensation equal to one month's rent prior to June 30, 2021, the termination date in the N12 Notice of Termination by waiving rent for the month of June 2021 and advising the Tenant of the same.
4. 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. The Landlord's son does not

have a place to stay as his tenancy terminated on August 15, 2021. He testified that he needs to move into the rental unit as soon as possible. The Tenant did not attend to request relief from eviction. As such, no relief will be granted.

It is ordered that:

1. The tenancy between the Landlords and the Tenant is terminated. The Tenant must move out of the rental unit on or before October 4, 2021.
2. If the unit is not vacated on or before October 4, 2021, then starting October 5, 2021, the Landlords may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
3. Upon receipt of this order, the Court Enforcement Office (Sheriff) is directed to give vacant possession of the unit to the Landlords on or after October 5, 2021.

September 23, 2021
Date Issued



Vladimir Nikitin
Member, Landlord and Tenant Board

South West-RO
150 Dufferin Avenue, Suite 400, 4th Floor
London ON N6A5N6

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 April 5, 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.