



Order under Subsection 87(1)  
**Residential Tenancies Act, 2006**

**File Number:** EAL-91048-20

**In the matter of:** 302, 111 AMHERST DRIVE .  
AMHERSTVIEW ON K7N1V4

**Between:** Kenlar Investments Inc Landlord

**and**

Shara Francis-herne Tenant

Kenlar Investments Inc (the 'Landlord') applied for an order requiring Shara Francis-herne (the 'Tenant') to pay the rent that the Tenant owes.

This application was heard via videoconference on May 26, 2021 at 9:00 a.m.

The Landlord, represented by James Moak, and the Tenant attended the hearing.

Preliminary Issue:

1. At the hearing the Tenant requested that this hearing be adjourned to another date, she was working in "the field".
2. The Tenant had also written to the board seeking an adjournment.
3. At the hearing the Tenant initially had not been able to connect, wrote on the "chat" section seeking an adjournment.
4. As this hearing was previously adjourned, an Interim Order was issued by Member Tancioco on January 12, 2021.
5. I reviewed Paragraphs 2 and 4 of the Interim Order with the Tenant;

"3. At least 10 days before the next hearing date, the Tenant shall provide the Landlord and the Board with a copy of the correspondence regarding rent forgiveness, and any additional documents, photographs and other evidence that she intends to submit to the Board at the next hearing.

"4. If a party does not comply with paragraphs 2 or 3, a Member may refuse to accept the evidence or consider the issues not disclosed

6. I ruled that the hearing would continue as scheduled.

**Determinations:**

1. The Tenant spoke to Kingston Tenant Duty Counsel during the hearing.
2. After the consultation with Tenant Duty Counsel the Tenant returned to the hearing.
3. The Tenant had not complied with the Interim Order issued by Member Tancioco on January 12, 2021
4. The Tenant was in possession of the rental unit on the date the application was filed.
5. The Tenant did not pay the total rent the Tenant was required to pay for the period from July 1, 2020 to July 31, 2020.
6. The monthly rent is \$1,375.00
7. The Landlord does not hold a last month's rent deposit.
8. The Tenant vacated the rental unit on August 31, 2020

**It is ordered that:**

1. The Tenancy between the Landlord and Tenant is terminated August 31, 2020, the day that the Tenant returned vacant possession of the unit to the Landlord.
2. The Tenant shall pay to the Landlord \$2,750.00, which represents the amount of rent owing up to August 31, 2020.
3. The Tenant shall also pay to the Landlord \$201.00 for the cost of filing the application.
4. If the Tenant does not pay the Landlord the full amount owing on or before August 21, 2021, the Tenant will start to owe interest. This will be simple interest calculated from August 22, 2021 at 2.00% annually on the balance outstanding.

**August 10, 2021**

**Date Issued**



Peter Pavlovic

Member, Landlord and Tenant Board

Eastern-RO  
255 Albert Street, 4th Floor  
Ottawa ON K1P6A9

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