

Order under Section 69
Residential Tenancies Act, 2006

File Number: HOL-01077-17

In the matter of: 17 ARKWRIGHT DRIVE
BRAMPTON ON L7A0V2

Between: Vivek Burman

Landlord

I certify this is a true copy of the Order/Report.

and

Kethia Downer
Michael Downer

Dated: **FEB 02 2017** Moita Gnacha
Landlord and Tenant Board

Tenants

Vivek Burman (the 'Landlord') applied for an order to terminate the tenancy and evict Kethia Downer (KD) and Michael Downer (MD) (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was heard in Mississauga on February 1, 2017.

The Landlord and one of the Tenants, MD, attended the hearing.

At the hearing, the parties agreed that the Tenants have not paid \$4,200.00 of the total rent the Tenants were required to pay for the period from December 2, 2016 to February 1, 2017.

As well, the parties consented to the following order.

On consent, it is ordered that:

1. Unless the Tenants void the order as set out below, the tenancy between the Landlord and the Tenants is terminated. The Tenants must move out of the rental unit on or before February 28, 2017.
2. The Tenants shall pay to the Landlord \$2,116.42*, which represents the amount of rent owing and compensation up to February 2, 2017, less the rent deposit and interest the Landlord owes on the rent deposit.
3. The Tenants shall also pay to the Landlord \$69.04 per day for compensation for the use of the unit starting February 3, 2017 to the date they move out of the unit.
4. The Tenants shall also pay to the Landlord \$170.00 for the cost of filing the application.

**Schedule 1
SUMMARY OF CALCULATIONS**

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A. Amount the Tenants must pay if the tenancy is terminated:

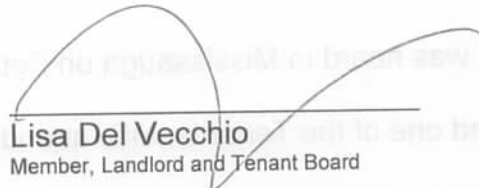
Reasons for amount owing	Period	Amount
Arrears: (up to the termination date in the Notice of Termination)	December 2, 2016 to January 2, 2017	\$2,100.00
Plus compensation: (from the day after the termination date in the Notice to the date of the order)	January 3, 2017 to February 2, 2017	\$2,140.24
Less the rent deposit:		-\$2,100.00
Less the interest owing on the rent deposit:	April 3, 2016 to January 2, 2017	-\$23.82
Amount owing to the Landlord on the order date:(total of previous boxes)		\$2,116.42
Additional costs the Tenants must pay to the Landlord:		\$170.00
Plus daily compensation owing for each day of occupation starting February 3, 2017:		\$69.04 (per day)
Total the Tenants must pay the Landlord if the tenancy is terminated:		\$2,286.42, + \$69.04 per day starting February 3, 2017

B. Amount the Tenants must pay to void the eviction order and continue the tenancy:

Reasons for amount owing	Period	Amount
Arrears:	December 2, 2016 to March 1, 2017	\$6,300.00
Additional costs the Tenants must pay to the Landlord:		\$170.00
Total the Tenants must pay to continue the tenancy:	On or before February 28, 2017	\$6,470.00

5. If the Tenants do not pay the Landlord the full amount owing* on or before February 28, 2017, the Tenants will start to owe interest. This will be simple interest calculated from March 1, 2017 at 2.00% annually on the balance outstanding.
6. If the unit is not vacated on or before February 28, 2017, then starting March 1, 2017, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
7. Upon receipt of this order, the Court Enforcement Office (Sheriff) is directed to give vacant possession of the unit to the Landlord, on or after March 1, 2017.
8. If, on or before February 28, 2017, the Tenants pay the amount of \$6,470.00** to the Landlord or to the Board in trust, this order for eviction will be void. This means that the tenancy would not be terminated and the Tenants could remain in the unit. If this payment is not made in full and on time, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
9. The Tenants may make a motion to the Board under subsection 74(11) of the Act to set aside this order if they pay the amount required under that subsection on or after March 1, 2017 but before the Sheriff gives vacant possession to the Landlord. The Tenants are only entitled to make this motion once during the period of the tenancy agreement with the Landlord.

February 2, 2017
Date Issued


Lisa Del Vecchio
Member, Landlord and Tenant Board

Central-RO
3 Robert Speck Pkwy, 5th Floor
Mississauga ON L4Z2G5

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 September 1, 2017 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.

- * Refer to section A on the attached Summary of Calculations.
- ** Refer to section B on the attached Summary of Calculations.