



Order under Section 69
Residential Tenancies Act, 2006

File Number: CEL-04168-21

In the matter of: 5 HARROGATE COURT
BARRIE ON L4M0B9

Between: Angeline Ram Landlord

and

Kevin Wellar Tenant

Angeline Ram (the 'Landlord') applied for an order to terminate the tenancy and evict Kevin Wellar (the 'Tenant') because the Landlord requires possession of the rental unit for the purpose of residential occupation

This application was heard via videoconference on January 6, 2022.

Only the Landlord, and the Landlord's legal representative, Howard Tavroges attended the hearing.

Determinations:

1. For the following reasons, we find that the Landlord in good faith requires possession of the rental unit for the purpose of residential occupation. The Landlord says that she is currently living with her parents in her childhood home and she would like to move into her own house. The Landlord gave details about her plans and presented her testimony in a consistent and forthright manner. We have no reason to disbelieve her. Based on the evidence before us, we find that the Landlord genuinely intends to occupy the rental unit for the purpose of residential occupation and she intends to do so for at least one year.
2. The Landlord filed a valid affidavit with the application pursuant to subsection 72(1) of the *Residential Tenancies Act, 2006* (the 'Act'). Also, the Landlord paid to the Tenant compensation equal to one month's rent on October 1, 2021, which is prior to the date of termination on the notice.
3. As the Landlord's application complies with the mandatory requirements of the Act, and as the Landlord in good faith requires possession of the rental unit, we find that the Landlord's application should be granted.

4. We 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.

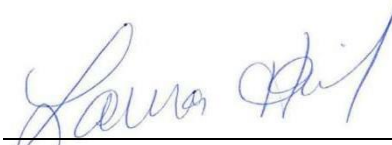
It is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated as of February 6, 2022.
2. The Tenant must move out of the rental unit on or before February 6, 2022.
3. If the unit is not vacated on or before February 6, 2022, then starting February 7, 2022, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
4. 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 February 7, 2022.

January 17, 2022
Date Issued



Robert Brown
Member, Landlord and Tenant Board



Laura Hartslief
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 August 7, 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.