



Order under Section 69
Residential Tenancies Act, 2006

File Number: CEL-92224-20

In the matter of: UPPER FLOOR, 250 MAIN STREET EAST
SHELBURNE ON L9V3K6

Between: Makhan S. Sidhu Landlords
Sukhwinder K. Sidhu

and

Jenny Murray Tenants
Robert Delurey

2021 CanLII 114704 (ON LTB)

and Makhan S. Sidhu and Sukhwinder K. Sidhu (the 'Landlords') applied for an order to terminate the tenancy and evict Robert Delurey and Jenny Murray (the 'Tenants') because they have been persistently late in paying their rent. The Landlords also claimed compensation for each day the Tenants remained in the unit after the termination date.

This application was heard via videoconference on May 26, 2021.

The Landlords and Landlord's Legal Representative Ravinder Bassi and the second named Tenant attended the hearing.

Determinations:

1. The Tenants have persistently failed to pay the rent on the date it was due.
2. The Landlords collected a rent deposit of \$1,550.00 from the Tenants and this deposit is still being held by the Landlords.
3. Interest on the rent deposit is owing to the Tenants for the period from May 1, 2018 to February 29, 2020.
4. The Tenant is still in possession of the rental unit.
5. The monthly rent is \$1,550.00.
6. The Tenant did not present any evidence to the Board about why he has been late on making the monthly rent on time.

7. 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.

It is ordered that:

1. The tenancy between the Landlords and the Tenants is terminated, as of September 3, 2021. The Tenants must move out of the rental unit on or before September 3, 2021.
2. The Tenants shall pay to the Landlords \$25,962.98, which represents compensation for the use of the unit from March 1, 2020 to August 23, 2021, less the rent deposit and interest the Landlords owe on the rent deposit.
3. The Tenants shall also pay to the Landlords \$50.96 per day for compensation for the use of the unit from August 24, 2021 to the date they move out of the unit.
4. The Tenants shall also pay to the Landlords \$190.00 for the cost of filing the application.
5. If the Tenants do not pay the Landlords the full amount owing on or before September 3, 2021, they will start to owe interest. This will be simple interest calculated from September 4, 2021 at 2.00% annually on the balance outstanding.
6. If the unit is not vacated on or before September 3, 2021, then starting September 4, 2021, the Landlords 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 Landlords on or after September 4, 2021.

August 23, 2021

Date Issued

Anthony Bruno

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 March 4, 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.

