



Order under Section 78(6)
Residential Tenancies Act, 2006

File Number: EAL-98408-21

In the matter of: UPPER LVL MAIN FL, 287 DUFFERIN COUNTY
ROAD 16
ORANGEVILLE ON L9W6L9

Between: Sarbjt Khattrra Landlords
Amandeep Rai

and

Jim Buckingham Tenants
Susan Grice

Sarbjt Khattrra and Amandeep Rai (the 'Landlords') applied for an order to terminate the tenancy and evict Susan Grice and Jim Buckingham (the 'Tenants') and for an order to have the Tenants pay the rent they owe because the Tenants failed to meet a condition specified in the order issued by the Board on September 7, 2021 with respect to application HOL-08318-20.

Determinations:

1. The order provided that the Landlords could apply to the Board under section 78 of the *Residential Tenancies Act, 2006* (the 'Act') without notice to the Tenants to terminate the tenancy and evict the Tenants if the Tenants did not meet certain condition(s) specified in the order.
2. I find that the Tenants have not met the following conditions specified in the order: The Tenants failed to pay the lawful monthly rent in full on or before October 1, 2021. The Tenants failed to pay \$700.00 towards the arrears on or before October 1, 2021.
3. The previous application included a request for an order for the payment of arrears of rent. The resulting order required the Tenants to pay rent or some or all of the arrears of rent. Accordingly, in addition to eviction, the Landlords are entitled to request an order for the payment of arrears of rent and compensation.
4. The Tenants were ordered to pay \$22,986.00 for rent arrears and the costs related to the Landlord's application fee in Order HOL-08318-20. The amount that is still owing from that order is \$21,186.00 and that amount is included in this order. As a result, the previous order HOL-08318-20 is cancelled.

5. Since the date of the order, the Tenants have failed to pay the full rent that became owing for the period from October 1, 2021 to October 31, 2021.

It is ordered that:

1. Order HOL-08318-20 is cancelled.
2. The tenancy between the Landlords and the Tenants is terminated. The Tenants must move out of the rental unit on or before December 13, 2021.
3. The Tenants shall pay to the Landlords \$23,704.35*. This amount represents the rent owing up to December 2, 2021 and the costs related to the application fee for the previous application.
4. The Tenants shall also pay to the Landlords \$39.45 per day for compensation for the use of the unit starting December 3, 2021 to the date the Tenants move out of the unit.
5. If the Tenants do not pay the Landlords the full amount owing* on or before December 13, 2021, the Tenants will start to owe interest. This will be simple interest calculated from December 14, 2021 at 2.00% annually on the balance outstanding.
6. If the unit is not vacated on or before December 13, 2021, then starting December 14, 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 December 14, 2021.



December 2, 2021
Date Issued

Nicola Mulima
Member, Landlord and Tenant Board

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

The tenant has until December 12, 2021 to file a motion with the Board to set aside the order under s. 78(9) of the Act. If the tenant files the motion by December 12, 2021 the order will be stayed and the Board will schedule a hearing.

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 June 14, 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.

* Refer to the attached Summary of Calculations.

Summary of Calculations

File Number: EAL-98408-21

Amount the Tenant must pay to the Landlord

Reason for amount owing	Period	Amount
Amount owing from previous order or settlement plus New Arrears and New NSF cheque charges and related administration charges: Up to October 31, 2021		\$22,386.00
New rent due up to the date of this order: November 1, 2021 to December 2, 2021		\$1,318.35
Less the rent deposit:		-\$0.00
Less the interest owing on the rent deposit		-\$0.00
Plus daily compensation owing for each day of occupation starting December 3, 2021		\$39.45 (per day)

Total the Tenants must pay the Landlord:	\$23,704.35, + \$39.45 per day starting December 3, 2021
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