


Order under Section 69
Residential Tenancies Act, 2006

File Number: TNL-16989-19

In the matter of: BASEMENT APARTMEN, 150 OZNER CRESCENT
WOODBRIIDGE ON L4H0E2

Between: Mina Soliman

I hereby certify this is a true copy of the Order
(Name of Document)

(Signature of Staff Member)

Landlord

and

Angela Marie Mclean

AUG 27 2019

Landlord and Tenant Board

Tenant

Mina Soliman (the 'Landlord') applied for an order to terminate the tenancy and evict Angela Marie Mclean (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard in Newmarket on August 26, 2019.

Only the Landlord attended the hearing.

Determinations:

1. The Tenant has not paid the total rent the Tenant was required to pay for the period from April 1, 2019 to August 31, 2019. Because of the arrears, the Landlord served a Notice of Termination effective June 15, 2019.
2. The Landlord collected a rent deposit of \$1,200.00 from the Tenant and this deposit is still being held by the Landlord.
3. Interest on the rent deposit is owing to the Tenant for the period from May 1, 2019 to June 15, 2019.
4. 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. The Tenant did not attend the hearing to give evidence of her circumstances.

It is ordered that:

1. Unless the Tenant voids the order as set out below, the tenancy between the Landlord and the Tenant is terminated. The Tenant must move out of the rental unit on or before September 7, 2019.
2. The Tenant shall pay to the Landlord \$2,877.13*, which represents the amount of rent owing and compensation up to August 27, 2019, less the rent deposit and interest the Landlord owes on the rent deposit.

3. The Tenant shall also pay to the Landlord \$39.45 per day for compensation for the use of the unit starting August 28, 2019 to the date the Tenant moves out of the unit.
4. The Tenant shall also pay to the Landlord \$175.00 for the cost of filing the application.
5. If the Tenant does not pay the Landlord the full amount owing* on or before September 7, 2019, the Tenant will start to owe interest. This will be simple interest calculated from September 8, 2019 at 3.00% annually on the balance outstanding.
6. If the unit is not vacated on or before September 7, 2019, then starting September 8, 2019, 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 September 8, 2019.
8. If the Tenant wishes to void this order and continue the tenancy, the Tenant must pay to the Landlord or to the Board in trust:
 - i) \$4,975.00 if the payment is made on or before August 31, 2019, or
 - ii) \$6,175.00 if the payment is made on or before September 7, 2019**.If the Tenant does not make full payment in accordance with this paragraph and by the appropriate deadline, then the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
9. The Tenant 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 September 8, 2019 but before the Sheriff gives vacant possession to the Landlord. The Tenant is only entitled to make this motion once during the period of the tenancy agreement with the Landlord.

August 27, 2019

Date Issued



Harry Cho

Member, Landlord and Tenant Board

Toronto North-RO
47 Sheppard Avenue East, Suite 700, 7th Floor
Toronto ON M2N5X5

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 8, 2020 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.

**Schedule 1
SUMMARY OF CALCULATIONS**

File Number: TNL-16989-19

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

Reasons for amount owing	Period	Amount
Arrears: (up to the termination date in the Notice of Termination)	April 1, 2019 to June 15, 2019	\$1,200.00
Plus compensation: (from the day after the termination date in the Notice to the date of the order)	June 16, 2019 to August 27, 2019	\$2,879.85
Less the rent deposit:		-\$1,200.00
Less the interest owing on the rent deposit:	May 1, 2019 to June 15, 2019	-\$2.72
Amount owing to the Landlord on the order date: (total of previous boxes)		\$2,877.13
Additional costs the Tenant must pay to the Landlord:		\$175.00
Plus daily compensation owing for each day of occupation starting August 28, 2019:		\$39.45 (per day)
Total the Tenant must pay the Landlord if the tenancy is terminated:		\$3,052.13, + \$39.45 per day starting August 28, 2019

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

1. If the payment is made on or before August 31, 2019:

Reasons for amount owing	Period	Amount
Arrears:	April 1, 2019 to August 31, 2019	\$4,800.00
Additional costs the Tenant must pay to the Landlord:		\$175.00
Total the Tenant must pay to continue the tenancy:	On or before August 31, 2019	\$4,975.00

2. If the payment is made after August 31, 2019 but on or before September 7, 2019:

Reasons for amount owing	Period	Amount
Arrears:	April 1, 2019 to September 30, 2019	\$6,000.00
Additional costs the Tenant must pay to the Landlord:		\$175.00
Total the Tenant must pay to continue the tenancy:	On or before September 7, 2019	\$6,175.00

INSTRUCTIONS FOR RECEIVING YOUR EVICTION DATE

RE:	TNL-16989-19
FILE NUMBER:	
FEE:	\$328.50

TO RECEIVE YOUR EVICTION DATE AND TIME

Please call on

Friday, September 13th, 2019

BETWEEN THE HOURS OF: **9:00 – 11:00 AM**

AT (905) 853-4809 press, 1,1,3,1

Note: If you do not reach someone, you can e-mail us at Newmarketenforcement@Ontario.ca.

And advise if you wish to proceed by providing the address and file number clearly
example: Address is "123 any street" my file # is "TNL123456"

October 9 2:00 Pm

The Enforcement Office will send through ordinary mail a "Notice to Vacate" to the occupants with instructions to vacate the premise, on or before 8:30am. **"PLEASE NOTE THE EVICTION FEE IS NON-REFUNDABLE"**

The landlord, agent or solicitor must advise the Enforcement Office to proceed and if instructions are not received by **11:00 AM** on the specified date, the eviction will not qualify for scheduling. **If a call is not received within this time, the eviction is considered cancelled. The fee for re-filing is \$240 plus mileage.**

When the staff provides a date and time, please understand this is an approximation. Officers can be delayed for a variety of reasons and it is the responsibility of the landlord, agent or solicitor to wait in front of the premises for an Enforcement Officer and provide access to the unit. Failure to comply may result in the cancellation of your eviction.

Upon arrival the Enforcement Officer requires a key or locksmith to provide entry to the unit. This is the responsibility of the landlord, agent or solicitor. Be prepared to secure the premise and ensure the locksmith is present at the designated time.

It is not the responsibility of the Enforce
Questions pertaining to this issue should

Retention of this copy for your records
Customer copy

001 APPROVED-THANK YOU \$328.50

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