

DR

(D. Rubanetz)

Order under Section 69
Residential Tenancies Act, 2006

Dated: June 14 / 13
Landlord and Tenant Board

File Number: SOL-37184-13

In the matter of: LOWER LEVEL, 208 HADATI ROAD
GUELPH ON N1E6N6

Between: Eric Martin Landlord

and

Cody Laye Tenants
Tara Lyn Da Silva

Eric Martin (the 'Landlord') applied for an order to terminate the tenancy and evict Cody Laye and Tara Lyn Da Silva (the 'Tenants') because they have substantially interfered with the reasonable enjoyment or lawful right, privilege or interest of the Landlord and because they have committed an illegal act in the rental unit or the residential complex. The Landlord also claimed compensation for each day the Tenants remained in the unit after the termination date.

This application was heard in Guelph on June 3, 2013.

The Landlord and the Tenants attended the hearing. Tenant, Tara Lyn Da Silva ('TD'), testified.

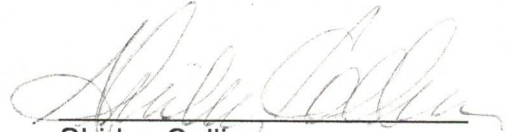
I have considered all of the disclosed circumstances in accordance with subsection 83 of the *Residential Tenancies Act, 2006* (the 'Act'), and find that it would not be unfair to grant relief from eviction subject to the conditions set out in this order pursuant to the Act.

It is ordered that:

1. The Tenants have committed an illegal act by keeping a ball python snake in the rental unit. The Tenant TD did not dispute that doing so is a breach of a municipal by-law.
2. TD testified that they sold the snake and it was removed from the unit on April 19, 2013.
3. TD agreed to comply with the municipal by-law concerning snakes and other exotic animals.
4. TD agreed to allow the Landlord access to the unit on a monthly basis for inspection.
5. The Landlord agreed to give the Tenants 24 hours written notice of entry.

6. The parties also agreed that if the Tenants fail to comply with the above paragraphs, the Landlord may apply under Section 78 of the *Residential Tenancies Act, 2006*, without notice to the Tenants, for an order terminating the tenancy and evicting the Tenants. The Landlord must make this application no later than 30 days after the Tenants' failure to comply.

June 14, 2013
Date Issued



Shirley Collins
Member, Landlord and Tenant Board

Southern-RO
119 King Street West, 6th Floor
Hamilton ON L8P4Y7

If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.