



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

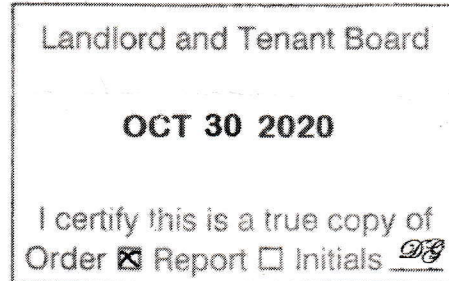
File Number: CEL-95296-20

In the matter of: 7 HENRY MOODY DRIVE
BRAMPTON ON L7A5A8

Between: Darshana Sheth
Rajesh Sheth

and

Duane Gardner
Jacqueline Forsythe



Landlords

Tenants

Darshana Sheth and Rajesh Sheth (the 'Landlords') applied for an order to terminate the tenancy and evict Duane Gardner and Jacqueline Forsythe (the 'Tenants') and for an order to have the Tenants pay the rent and compensation for damage they owe because the Tenants failed to meet a condition specified in the mediated settlement issued by the Board on February 26, 2020 with respect to application HOL-06334-19.

This application was heard in Passcode: 762 904 464# on October 21, 2020. The Landlord Rajesh, represented by Samila Waslat, attended the hearing.

Determinations:

1. The mediated settlement 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 settlement.
2. I find that the Tenants have not paid the lawful rent and failed to make arrears payments.
3. The Tenants vacated the rental unit on August 31, 2020.
4. The previous application included a request for an order for the payment of arrears of rent in addition to the lawful rent as it became due. The resulting mediated settlement 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.