



Order under Section 69  
**Residential Tenancies Act, 2006**

**File Number:** TEL-15181-21

**In the matter of:** BASEMENT, 71 CONFERENCE BOULEVARD  
SCARBOROUGH ON M1C2E4

**Between:** Jeyakumar Ratnam Landlord

**and**

Cole Ivan William Tenants  
Crystal Lynn Gray

Jeyakumar Ratnam (the 'Landlord') applied for an order to terminate the tenancy and evict Cole Ivan William and Crystal Lynn Gray (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was heard by videoconference on July 7, 2021.

Only the Landlord attended the hearing. The Landlord's son, Kasaven Jeyakumar, also attended only in support of the Landlord (but did not participate). As of 3:12 pm, the Tenants were not present or represented at the hearing and the hearing commenced on an uncontested basis.

**Determinations:**

1. The Tenants have not paid the total rent the Tenants were required to pay for the period from October 1, 2020 to July 31, 2021. Because of the arrears, the Landlord served a Notice of Termination effective February 14, 2021.
2. The monthly rent is \$1,220.00
3. The Landlord is not holding any last month's rent deposit.
4. The Tenants paid \$2,600.00 after the application was filed.
5. I requested that the Landlord make a post-hearing submission to provide a corrected L1 update sheet and a clear copy of the certificate of service. During the hearing, the update sheet needed to be amended to reflect the current arrears amount, and the Board records needed to have a better copy of the certificate of service. I confirm the Landlord provided the requested submission on July 9, 2021.

6. The Landlord also provided some information on the Tenants' health issues and he requested that a standard voidable order be issued, but that the Tenants be given an extra month to void the arrears and maintain the tenancy intact.
7. As this order is being issued on September 28, 2021 (well beyond the request extra month), the voiding date will be eleven days from the issuance date of this order.
8. I have considered all of the disclosed circumstances in accordance with subsection 83 of the *Residential Tenancies Act, 2006* (RTA), including the impact of COVID-19 on the parties and whether the Landlord attempted to negotiate a repayment agreement with the Tenant, 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. Unless the Tenants void the order as set out below, the tenancy between the Landlord and the Tenants is terminated. The Tenants must move out of the rental unit on or before October 9, 2021.
2. The Tenants shall pay to the Landlord \$7,024.86\*, which represents the amount of rent owing and compensation up to September 28, 2021.
3. The Tenants shall also pay to the Landlord \$40.11 per day for compensation for the use of the unit starting September 29, 2021 to the date the Tenants move out of the unit.
4. The Tenants shall also pay to the Landlord \$186.00 for the cost of filing the application.
5. If the Tenants do not pay the Landlord the full amount owing\* on or before October 9, 2021, the Tenants will start to owe interest. This will be simple interest calculated from October 10, 2021 at 2.00% annually on the balance outstanding.
6. If the unit is not vacated on or before October 9, 2021, then starting October 10, 2021, 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 October 10, 2021.
8. If the Tenants wish to void this order and continue the tenancy, the Tenants must pay to the Landlord or to the Board in trust:
  - i) \$9,126.00 if the payment is made on or before September 30, 2021, or
  - ii) \$10,346.00 if the payment is made on or before October 9, 2021\*\*.If the Tenants do 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 Tenants 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 October

10, 2021 but before the Sheriff gives vacant possession to the Landlord. The Tenants are only entitled to make this motion once during the period of the tenancy agreement with the Landlord.



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Alex Brkic  
Member, Landlord and Tenant Board

**September 28, 2021**  
**Date Issued**

Toronto East-RO  
2275 Midland Avenue, Unit 2  
Toronto ON M1P3E7

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 April 10, 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 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: TEL-15181-21

2021 CanLII 128759 (ON LTB)

**A. Amount the Tenants must pay if the tenancy is terminated:**

Reasons for amount owing	Period	Amount
Arrears: (up to the termination date in the Notice of Termination)	October 1, 2020 to February 14, 2021	\$560.00
Less the amount the Tenants paid to the Landlord		-\$2,600.00
Plus compensation: (from the day after the termination date in the Notice to the date of the order)	February 15, 2021 to September 28, 2021	\$9,064.86
Amount owing to the Landlord on the order date: (total of previous boxes)		<b>\$7,024.86</b>
Additional costs the Tenants must pay to the Landlord:		\$186.00
Plus daily compensation owing for each day of occupation starting September 29, 2021:		\$40.11 (per day)
<b>Total the Tenants must pay the Landlord if the tenancy is terminated:</b>		<b>\$7,210.86, + \$40.11 per day starting September 29, 2021</b>

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

**1. If the payment is made on or before September 30, 2021:**

Reasons for amount owing	Period	Amount
Arrears:	October 1, 2020 to July 31, 2021	\$9,100.00
Rent for August 2021:	August 1-31, 2021	\$1,220.00
Rent for September 2021:	September 1-30, 2021	\$1,220.00
Less the amount the Tenants paid to the Landlord:		-\$2,600.00
Additional costs the Tenants must pay to the Landlord:		\$186.00
<b>Total the Tenants must pay to continue the tenancy:</b>	On or before September 30, 2021	<b>\$9,126.00</b>

## 2. If the payment is made after September 30, 2021 but on or before October 9, 2021:

Reasons for amount owing	Period	Amount
Arrears:	October 1, 2020 to July 31, 2021	\$9,100.00
Rent for August 2021:	August 1-31, 2021	\$1,220.00
Rent for September 2021:	September 1-30, 2021	\$1,220.00
Rent for October 2021:	October 1-31, 2021	\$1,220.00
Less the amount the Tenants paid to the Landlord:		-\$2,600.00
Additional costs the Tenants must pay to the Landlord:		\$186.00
<b>Total the Tenants must pay to continue the tenancy:</b>	On or before October 9, 2021	\$10,346.00