



Order under Section 206
Residential Tenancies Act, 2006

File Number: TSL-20591-21

In the matter of: 225, 695 COXWELL AVENUE
TORONTO ON M4C5R6

Between: Tobias House I Landlord

and

Brittany Jordon Young Tenant

Tobias House I (the 'Landlord') applied for an order to terminate the tenancy and evict Brittany Jordon Young (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on June 16, 2021. Only the Landlord's Legal Representative, Leo Corsetti attended the hearing. As of 10:38 a.m., the Tenant was not present or represented at the hearing although properly served with notice of this hearing by the Board.

Determinations:

1. The Tenant has not paid the total rent the Tenant was required to pay for the period from April 1, 2020 to June 30, 2021. Because of the arrears, the Landlord served a Notice of Termination effective April 30, 2021.
2. The Tenant is in possession of the rental unit.
3. As of April 1, 2021, the lawful monthly rent for the unit is \$115.00.
4. The Landlord collected a rent deposit of \$134.66 from the Tenant and this deposit is still being held by the Landlord. Interest on the rent deposit is owing to the Tenant for the period from May 1, 2011 to April 30, 2021.
5. The Tenant paid \$230.00 after the application was filed.
6. 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 not be unfair to grant relief from eviction subject to the conditions set out in this order.
7. The Landlord was not seeking termination of the tenancy; rather, the Landlord was seeking relief from eviction subject to a payment agreement. The Landlord's representative

submitted that the parties agreed to the payment agreement set out in this order. I find it appropriate to grant relief from eviction subject to the conditions set out in this order.

It is ordered that:

1. The Tenant shall pay to the Landlord \$1,865.46, which represents the arrears of rent and costs for the period ending June 30, 2021.
2. The Landlord’s application for eviction of the Tenant is denied on the condition that:

(a) The Tenant shall make the following payments to the Landlord in respect of the monies owing under paragraph 1 of this order:

\$115.00	arrears/cost	on or before: July 15, 2021
\$115.00	arrears	on or before: August 15, 2021
\$115.00	arrears	on or before: September 15, 2021
\$115.00	arrears	on or before: October 15, 2021
\$115.00	arrears	on or before: November 15, 2021
\$115.00	arrears	on or before: December 15, 2021
\$115.00	arrears	on or before: January 15, 2022
\$115.00	arrears	on or before: February 15, 2022
\$115.00	arrears	on or before: March 15, 2022
\$115.00	arrears	on or before: April 15, 2022
\$115.00	arrears	on or before: May 15, 2022
\$115.00	arrears	on or before: June 15, 2022
\$120.00	arrears	on or before: July 15, 2022
\$120.00	arrears	on or before: August 15, 2022
\$120.00	arrears	on or before: September 15, 2022
\$125.46	arrears	on or before: October 14, 2022

(b) The Tenant shall also pay the Landlord the rent for the months of July 2021 up to and including October 2022 in full, on or before the first day of each corresponding month.

3. If the Tenant fails to make any of the payments in accordance with paragraph 2, and by the dates required, then:

(a) The Landlord may apply under section 78 of the *Residential Tenancies Act, 2006* (the ‘Act’) for an order terminating the tenancy and evicting the Tenant, and for the payment of any new arrears of rent and NSF charges not already ordered under paragraph 1 of this order. The Landlord must make the application within 30 days of a breach of a condition set out in paragraph 2 of this order.

(b) The balance owing under paragraph 1 of this order shall become payable on the day following the date of default. The monies owing shall bear interest at the post-judgment interest rate determined under subsection 207(7) of the Act.

July 14, 2021

Date Issued

Camille Tancioco

Member, Landlord and Tenant Board

Toronto South-RO
15 Grosvenor Street, 1st Floor
Toronto ON M7A 2G6

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