



Order under Section 78(6)

Residential Tenancies Act, 2006

File Number: CEL-00789-21

In the matter of: 203, 105 MAURICE STREET
HANMER ON P3P0C3

Between: Ontario Aboriginal Housing Services Landlord

and

Colleen Prevost Tenants
Gabriel Prevost

Ontario Aboriginal Housing Services (the 'Landlord') applied for an order to terminate the tenancy and evict Colleen Prevost and Gabriel Prevost (the 'Tenants') and for an order to have the Tenants pay the rent they owe because the Tenants failed to meet a condition specified in the order issued by the Board on April 23, 2021 with respect to application HOL-06507-20.

Determinations:

1. The order provided that the Landlord 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 order.
2. I find that the Tenants have not met the following conditions specified in the order:
The Tenants did not pay \$486.00 on or before May 15, 2021 and did not pay the lawful monthly rent on or before June 1, 2021.
3. The previous application included a request for an order for the payment of arrears of rent. The resulting order required the Tenants to pay rent or some or all of the arrears of rent. Accordingly, in addition to eviction, the Landlord is entitled to request an order for the payment of arrears of rent and compensation.
4. The Tenants were ordered to pay \$11,672.40 for rent arrears and the costs related to the Landlord's application fee in Order HOL-06507-20. The amount that is still owing from that order is \$252.81 and that amount is included in this order. As a result, the previous order HOL-06507-20 is cancelled.

5. Since the date of the order, the Tenants have failed to pay the full rent that became owing for the period from March 1, 2021 to June 30, 2021.

It is ordered that:

1. Order HOL-06507-20 is cancelled.
2. The tenancy between the Landlord and the Tenants is terminated. The Tenants must move out of the rental unit on or before June 26, 2021.
3. The Tenants shall pay to the Landlord \$3,630.69*. This amount represents the rent owing up to June 15, 2021 and the costs related to the application fee for the previous application.
4. The Tenants shall also pay to the Landlord \$31.79 per day for compensation for the use of the unit starting June 16, 2021 to the date the Tenants move out of the unit.
5. If the Tenants do not pay the Landlord the full amount owing* on or before June 26, 2021, the Tenants will start to owe interest. This will be simple interest calculated from June 27, 2021 at 2.00% annually on the balance outstanding.
6. If the unit is not vacated on or before June 26, 2021, then starting June 27, 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 June 27, 2021.

June 15, 2021
Date Issued

Michael Di Salle
Michael Di Salle
Member, Landlord and Tenant Board

Central-RO
3 Robert Speck Pkwy, 5th Floor
Mississauga ON L4Z2G5

The tenant has until June 25, 2021 to file a motion with the Board to set aside the order under s. 78(9) of the Act. If the tenant files the motion by June 25, 2021 the order will be stayed and the Board will schedule a hearing.

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 December 27, 2021 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 the attached Summary of Calculations.

Summary of Calculations

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Amount the Tenant must pay

Reason for amount owing	Period	Amount
Amount owing from previous order or settlement up to February 28, 2021		\$252.81
Plus New Arrears and New NSF cheque charges and related administration charges: March 1, 2021 to June 15, 2021		\$3,377.88
Less the rent deposit:		-\$0.00
Less the interest owing on the rent deposit		-\$0.00
Plus daily compensation owing for each day of occupation starting June 16, 2021		\$31.79 (per day)

Total the Tenants must pay the Landlord:	\$3,630.69, + \$31.79 per day starting June 16, 2021
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