



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

**File Number:** TEL-13166-20

**In the matter of:** 115 RAVENSHOE ROAD  
UXBRIDGE ON L0E1T0

**Between:** Dale York Landlords  
Debra York

**and**

Chanel MacIssac Tenant

Dale York and Debra York (the 'Landlords') applied for an order to terminate the tenancy and evict Chanel MacIssac (the 'Tenant') because the Tenant did not pay the rent that the Tenant owe.

This application was heard by videoconference on May 12, 2021. Only the Landlord's Legal Representative, Dylan Henderson, attended the hearing.

At the hearing, the application was amended to remove the name of Patrick MacIssac, at the request of the Landlord's Legal Representative.

**Determinations:**

1. The Tenant have not paid the total rent the Tenant were required to pay for the period from April 1, 2020 to May 31, 2021. Because of the arrears, the Landlords served a Notice of Termination effective September 20, 2020.
2. The Tenant is in possession of the rental unit.
3. The lawful monthly rent is \$750.00
4. The Landlords collected a rent deposit of \$750.00 from the Tenant and this deposit is still being held by the Landlords.
5. Interest on the rent deposit is owing to the Tenant for the period from March 25, 2009 to September 20, 2020.
6. The Tenant has made no payments since the application was filed.

7. The Landlord's Legal Representative stated that the Landlord has attempted to reach the Tenant by text and telephone to discuss a plan to pay the arrears, but has not been successful.
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 Tenant voids the order as set out below, the tenancy between the Landlords and the Tenant is terminated. The Tenant must move out of the rental unit on or before May 30, 2021.
2. The Tenant shall pay to the Landlords \$9,277.13\*, which represents the amount of rent owing and compensation up to May 19, 2021, less the rent deposit and interest the Landlords owe on the rent deposit.
3. The Tenant shall also pay to the Landlords \$24.66 per day for compensation for the use of the unit starting May 20, 2021 to the date the Tenant move out of the unit.
4. The Tenant shall also pay to the Landlords \$186.00 for the cost of filing the application.
5. If the Tenant do not pay the Landlords the full amount owing\* on or before May 30, 2021, the Tenant will start to owe interest. This will be simple interest calculated from May 31, 2021 at 2.00% annually on the balance outstanding.
6. If the unit is not vacated on or before May 30, 2021, then starting May 31, 2021, the Landlords 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 Landlords, on or after May 31, 2021.
8. If, on or before May 30, 2021, the Tenant pay the amount of \$10,686.00\*\* to the Landlords or to the Board in trust, this order for eviction will be void. This means that the tenancy would not be terminated and the Tenant could remain in the unit. If this payment is not made in full and on time, the Landlords may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
9. The Tenant 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 May 31, 2021 but before the Sheriff gives vacant possession to the Landlords. The Tenant are only entitled to make this motion once during the period of the tenancy agreement with the Landlords.

10. **This order terminates the tenancy and permits the Landlord to file the order with Court Enforcement Office (Sheriff) to evict the Tenant. However, as of the date this matter was heard, the Sheriff cannot enforce this order as a result of Ontario Regulation 266/21 made under the *Emergency Management and Civil Protection Act* on April 8, 2021. The Tenant cannot be evicted from the rental unit while this regulation is in force. Eviction by the Sheriff may occur after the regulation is removed by the Ontario Government.**

**May 19, 2021**  
**Date Issued**



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Kathleen Wells  
Member, Landlord and Tenant Board

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 November 30, 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 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-13166-20**

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

<b>Reasons for amount owing</b>	<b>Period</b>	<b>Amount</b>
Arrears: (up to the termination date in the Notice of Termination)	April 1, 2020 to September 20, 2020	\$4,243.15
Plus compensation: (from the day after the termination date in the Notice to the date of the order)	September 21, 2020 to May 19, 2021	\$5,943.06
Less the rent deposit:		-\$750.00
Less the interest owing on the rent deposit:	March 25, 2009 to September 20, 2020	-\$159.08
Amount owing to the Landlords on the order date: (total of previous boxes)		<b>\$9,277.13</b>
Additional costs the Tenant must pay to the Landlords:		\$186.00
Plus daily compensation owing for each day of occupation starting May 20, 2021:		\$24.66 (per day)
<b>Total the Tenant must pay the Landlords if the tenancy is terminated:</b>		<b>\$9,463.13, + \$24.66 per day starting May 20, 2021</b>

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

<b>Reasons for amount owing</b>	<b>Period</b>	<b>Amount</b>
Arrears:	April 1, 2020 to May 31, 2021	\$10,500.00
Additional costs the Tenant must pay to the Landlords:		\$186.00
<b>Total the Tenant must pay to continue the tenancy:</b>	On or before May 30, 2021	\$10,686.00

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