



Order under Section 69
Residential Tenancies Act, 2006

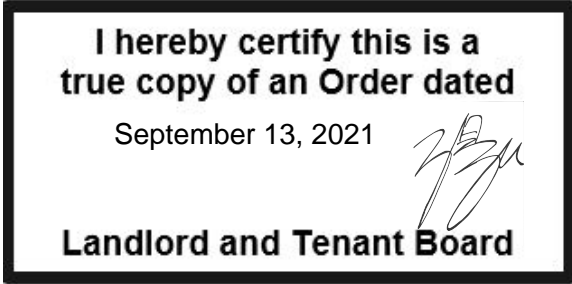
File Number: CEL-00749-21

In the matter of: 1114, 1477 MISSISSAUGA VALLEY BOULEVARD
MISSISSAUGA ON L5A3Y4

Between: Morguard Nar Canada Limited Partnership Landlord

and

Ariana Nader
Mariam Burhanzai
Naweed Burhanzai



Tenants

Morguard Nar Canada Limited Partnership (the 'Landlord') applied for an order to terminate the tenancy and evict Naweed Burhanzai, Ariana Nader and Mariam Burhanzai (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

The application was heard on August 30, 2021 by video conference. The Landlord's Legal Representative, Martin Zarnett, Graham Eggel, Regional Manager, and Tenant, Mariam Burhanzai, attended. The Tenant declined the opportunity to speak with tenant duty counsel. The Tenant acted on behalf of all named tenants.

In mediation, the parties mutually agreed to resolve all matters at issue in the application and requested an order on consent. I was satisfied that the parties understood the consequences of the joint submission.

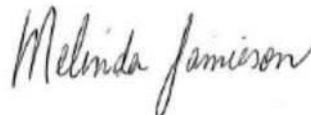
The parties agreed:

1. The Tenants have not paid the total rent the Tenants were required to pay for the period from April 1, 2020 to August 31, 2021. Because of the arrears, the Landlord served a Notice of Termination effective June 3, 2021.
2. The Tenants are in possession of the rental unit.
3. The monthly rent is \$1,912.84.
4. The Tenants paid \$10,939.29 after the application was filed.
5. Per the application, the Landlord collected a rent deposit of \$1,952.13 from the Tenants and this deposit is still being held by the Landlord. No interest on the rent deposit is owing to date.

6. The parties agreed that the amount outstanding to August 31, 2021, inclusive of rent arrears (\$2,529.55) and costs (\$186.00) is \$2,715.55.

On consent of the parties, it is ordered that:

1. Unless the Tenant voids 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 November 30, 2021.
2. The Tenants shall pay to the Landlord \$1,442.34*, which represents the amount of rent owing and compensation up to September 13, 2021, less the rent deposit.
3. The Tenants shall also pay to the Landlord \$62.89 per day for compensation for the use of the unit starting September 14, 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 November 30, 2021, the Tenants will start to owe interest. This will be simple interest calculated from December 1, 2021 at 2.00% annually on the balance outstanding.
6. If the unit is not vacated on or before November 30, 2021, then starting December 1, 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 December 1, 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) \$4,628.39 if the payment is made on or before September 30, 2021, or
 - ii) \$8,454.07 if the payment is made on or before November 30, 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 December 1, 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.



September 13, 2021
Date Issued

Melinda Jamieson

Dispute Resolution Officer, Landlord and Tenant Board

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

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 June 1, 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: CEL-00749-21

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)	April 1, 2020 to June 3, 2021	\$7,918.98
Less the amount the Tenants paid to the Landlord		-\$10,939.29
Plus compensation: (from the day after the termination date in the Notice to the date of the order)	June 4, 2021 to September 13, 2021	\$6,414.78
Less the rent deposit:		-\$1,952.13
Less the interest owing on the rent deposit:		
Amount owing to the Landlord on the order date: (total of previous boxes)		\$1,442.34
Additional costs the Tenants must pay to the Landlord:		\$186.00
Plus daily compensation owing for each day of occupation starting September 14, 2021:		\$62.89 (per day)
Total the Tenants must pay the Landlord if the tenancy is terminated:		\$1,628.34, + \$62.89 per day starting September 14, 2021

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:	April 1, 2020 to September 30, 2021	\$15,381.68
Less the amount the Tenants paid to the Landlord:		-\$10,939.29
Additional costs the Tenants must pay to the Landlord:		\$186.00

Total the Tenants must pay to continue the tenancy:	On or before September 30, 2021	\$4,628.39
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2. If the payment is made after September 30, 2021 but on or before November 30, 2021:

Reasons for amount owing	Period	Amount
Arrears:	April 1, 2020 to November 30, 2021	\$19,207.36
Less the amount the Tenants paid to the Landlord:		-\$10,939.29
Additional costs the Tenants must pay to the Landlord:		\$186.00
Total the Tenants must pay to continue the tenancy:	On or before November 30, 2021	\$8,454.07