



Order under Section 69
Residential Tenancies Act, 2006

File Number: CEL-00381-21

In the matter of: BASEMENT, 3318 STRABANE DRIVE
MISSISSAUGA ON L5C1W7

Between: Rab Krist
Rana Krist

Landlords

and

Camille Jabbour

I hereby certify this is a
true copy of an Order dated

FEB 28, 2022

Landlord and Tenant Board

Tenant

Rab Krist and Rana Krist (the 'Landlords') applied for an order to terminate the tenancy and evict Camille Jabbour (the 'Tenant') because the Tenant, another occupant of the rental unit or someone they permitted in the residential complex have substantially interfered with the reasonable enjoyment or lawful right, privilege or interest of the Landlord or another tenant; and because the Tenant, another occupant of the rental unit or a person the Tenant permitted in the residential complex has seriously impaired the safety of any person. The Landlords also claimed compensation for each day the Tenant remained in the unit after the termination date.

This application was heard in Passcode: 956 0593 7653# on February 24, 2022. The Landlord, represented by Elie Ghannoum, attended the hearing.


Determinations:

1. On two occasions the Tenant changed the locks on the rental unit and did not provide the Landlord with replacement keys. The Landlord has hired contractors to perform work in the unit where the mechanical systems are located, and the contractors could not access the unit to perform the work.
2. The Tenant has also agreed to permit entry with proper notice and has cancelled or denied entry when the contractors would arrive.
3. These cancellations unnecessarily cost the Landlord money for the cancelled appointments.
4. The Tenant has called the police on the upstairs neighbour to report them as thieves. The police found no merit to the allegation.
5. On two occasions the Tenant has left the stove in the unit on unattended. The upstairs neighbour noticed the burning smell, turned the stove off and called the fire department.

6. One tenant has already moved due to the Tenant's actions and the current tenant is threatening to leave if this tenant remains in the unit.
7. I find the Tenants actions have substantially interfered with the reasonable enjoyment or lawful right, privilege or interest of the Landlord or another tenant. As such the tenancy will be terminated based on this finding.
8. The Landlord also served an N7 notice for seriously impaired safety. I find the allegations in the notice do not meet the legal test of seriously impaired safety.
9. I have considered all of the disclosed circumstances in accordance with subsection 83(2) of the *Residential Tenancies Act, 2006* (the 'Act'), 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. The tenancy between the Landlords and the Tenant is terminated, as of March 5, 2022. The Tenant must move out of the rental unit on or before March 5, 2022.
2. The Tenant shall pay to the Landlords \$6,995.04, which represents compensation for the use of the unit from May 1, 2021 to February 28, 2022. Any amounts the Tenant has paid to the Landlord during this period shall be credited to this amount owing.
3. The Tenant shall also pay to the Landlords \$23.01 per day for compensation for the use of the unit from March 1, 2022 to the date the Tenant moves 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 does not pay the Landlords the full amount owing on or before March 5, 2022, the Tenant will start to owe interest. This will be simple interest calculated from March 6, 2022 at 2.00% annually on the balance outstanding.
6. If the unit is not vacated on or before March 5, 2022, then starting March 6, 2022, 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 March 6, 2022. The Sheriff is requested to expedite the enforcement of this order.



Greg Joy
Member, Landlord and Tenant Board

February 28, 2022
Date Issued

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 September 6, 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.