



Order under Section 69
Residential Tenancies Act, 2006

File Number: NOL-41953-21

In the matter of: 707 EMILIE STREET
TIMMINS ON P4N5K2

Between: CDSSAB Housing Services

Landlord

and

Marie Alice Nakoochee

Tenant

CDSSAB Housing Services (the 'Landlord') applied for an order to terminate the tenancy and evict Marie Alice Nakoochee (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by video conference on July 15, 2021.

Only the Landlord's Legal Representative, L. Cumming, attended the hearing. As of 9:41 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 May 1, 2019 to July 31, 2021. Because of the arrears, the Landlord served a Notice of Termination effective January 4, 2021.
2. The Tenant is in possession of the rental unit.
3. The lawful monthly rent is \$232.00.
4. The Landlord is not holding a last month's rent deposit.
5. The Tenant paid \$1,692.00 after the application was filed.
6. The amount outstanding to July 31, 2021, inclusive of rent arrears (\$1,053.00) and costs (\$186.00) is \$1,239.00.
7. 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 not be unfair to grant relief from eviction subject to the conditions set out in this order pursuant to subsection 83(1)(a) and 204(1) of the Act.

It is ordered that:

- 1. The Tenant shall pay to the Landlord \$1,239.00, which represents the arrears of rent (\$1,053.00) and costs (\$186.00) outstanding for the period ending July 31, 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:

Date Payment Due	Amount of Payment
July 23, 2021	\$50.00 (costs)
August 23, 2021	\$50.00 (costs)
September 23, 2021	\$50.00 (costs)
October 23, 2021	\$50.00 (costs and arrears)
November 23, 2021	\$50.00 (arrears)
December 23, 2021	\$50.00 (arrears)
January 23, 2022	\$50.00 (arrears)
February 23, 2022	\$50.00 (arrears)
March 23, 2022	\$50.00 (arrears)
April 23, 2022	\$50.00 (arrears)
May 23, 2022	\$50.00 (arrears)
June 23, 2022	\$50.00 (arrears)
July 23, 2022	\$50.00 (arrears)
August 23, 2022	\$50.00 (arrears)
September 23, 2022	\$50.00 (arrears)
October 23, 2022	\$50.00 (arrears)

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February 23, 2023	\$50.00 (arrears)
March 23, 2023	\$50.00 (arrears)
April 23, 2023	\$50.00 (arrears)
May 23, 2023	\$50.00 (arrears)
June 23, 2023	\$50.00 (arrears)
July 1, 2023	\$39.00 (arrears)

- (b) The Tenant shall also pay the Landlord the rent for the months of August 2021 up to and including July 2023 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 22, 2021
Date Issued

Northern-RO
 199 Larch Street, Provincial Building, Suite 301
 Sudbury ON P3E5P9



Richard Ferriss
 Member, Landlord and Tenant Board

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