



Order under Section 87(1)
Residential Tenancies Act, 2006

File Number: TSL-18342-20

In the matter of: 681B, 681 BROWNS LINE N
TORONTO ON M8W3V7

Between: Carolyn Hodgins Landlords
1111391 Ontario Inc.

and

Naomi Baker Tenant

Carolyn Hodgins and 1111391 Ontario Inc. (the 'Landlords') applied for an order to terminate the tenancy and evict Naomi Baker (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by telephone/video-conference on March 31, 2021. The Landlords' Legal Representative, A. John Hodgins, attended the hearing. The Tenant, Naomi Baker, attended the hearing and spoke with Tenant Duty Counsel before the hearing.

Determinations:

1. The Tenant has not paid the total rent the Tenant was required to pay for the period from October 1, 2020 to March 31, 2021. As a result the Landlord served a Notice of Termination with effective termination date October 18, 2020.
2. The Tenant is in possession of the rental unit.
3. The monthly rent is \$885.67.
4. The Tenant paid all the arrears for the period ending March 31, 2021 after the application was filed.
5. The only amount outstanding is the Landlords' cost of filing the application. As a result, this order will be limited to costs only and will not order an eviction.
6. The Landlords' Legal Representative submitted that there has been a long history of late payment. The filing fee was necessary to bring this application and recoup the rent arrears. The Landlords' side was amenable to seek only arrears and no eviction. In any event there was a preliminary issue with the N4 Notice of Termination (no arrears amount

or dates indicated on page 2) which would have precluded eviction as a remedy. This is a long tenancy, since at least 2014. The Tenant advised she has not been working since March, 2020 and that there was an issue converting CERB benefits to EI in October, 2020, leading to the non-payment of rent starting October, 2020. The Tenant was open to a payment plan but needed more time to pay the filing fee. Considering the many years of relationship between these parties, and the fact that the Tenant paid off all the rent arrears up to March 31, 2021 prior to the hearing, in the circumstances she will be granted more time over 3 installments to pay the filing fee.

It is ordered that:

1. The Tenant shall pay to the Landlords \$186.00 for the cost of filing the application, subject to the payment plan amounts and dates as follows:
 - (i) \$62.00 on or before May 31, 2021;
 - (ii) \$62.00 on or before June 30, 2021;
 - (iii) \$62.00 on or before July 31, 2021.

2. If the Tenant does not pay the Landlords the full amount owing of \$186.00 on or before July 31, 2021, the Tenant will start to owe interest. This will be simple interest calculated from August 1, 2021 at 2.00% annually on the balance outstanding.

May 19, 2021
Date Issued

Michelle Tan
Member, Landlord and Tenant Board

Toronto South-RO
15 Grosvenor Street, 1st Floor
Toronto ON M7A 2G6

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