



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

**File Number:** TEL-16621-21

**In the matter of:** N/A, 32 MISTYHILLS TRAIL E  
SCARBOROUGH ON M1X1S4

**Between:** Nalayini Thanabalasingham Landlord

**and**

Alisha Tynes Tenants  
Arnold Saulteaux

Nalayini Thanabalasingham (the 'Landlord') applied for an order to terminate the tenancy and evict Alisha Tynes and Arnold Saulteaux (the 'Tenants') because they, another occupant of the rental unit or someone they permitted in the residential complex have wilfully caused undue damage to the premises and/or used the rental unit or the residential complex in a manner that is inconsistent with use as a residential premises and that has caused or can be expected to cause significant damage; because they, 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 in a residential complex that has three or fewer residential units; and because they, another occupant of the rental unit or a person the Tenants permitted in the residential complex have seriously impaired the safety of any person. The Landlord also claimed compensation for each day the Tenants remained in the unit after the termination date and applied for an order requiring the Tenants to compensate the Landlord for the damage.

This application was heard in video conference room 129 on August 31, 2021.

Only the Landlord attended when the hearing was called at 11:40AM.

**Determinations:**

1. The Landlord did not file with the Board evidence in accordance with the Board's rules. The Landlord therefore did not reliably prove on a balance of probabilities damage at the property and the Landlord's cost to repair or replace the damaged property.
2. 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.
3. The Landlord testified that the Tenants vacated the rental unit on June 30, 2021.

**It is ordered that:**

1. The tenancy between the Landlord and the Tenants is terminated, as of June 30, 2021. The Tenants moved out of the rental unit on June 30, 2021.
2. The Tenants shall pay to the Landlord \$186.00 for the cost of filing the application.
3. If the Tenants do not pay the Landlord the full amount owing on or before October 11, 2021, they will start to owe interest. This will be simple interest calculated from October 12, 2021 at 2.00% annually on the balance outstanding.



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Harry Cho  
Member, Landlord and Tenant Board

**October 6, 2021**

**Date Issued**

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.