



Order under Section 69
Residential Tenancies Act, 2006

File Number: EAL-87916-19

In the matter of: 22 MCKENNA AVENUE
KINGSTON ON K7K5B1

Between: Dmitriy Ronkin Landlords
Alexandrina Delova

and

David Letourneau-crossman Tenants
Emily Larmon

Dmitriy Ronkin and Alexandrina Delova (the 'Landlords') applied for an order to terminate the tenancy and evict Emily Larmon and David Letourneau-crossman (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was heard in Kingston on March 11, 2020.

The Landlords and the Tenants attended the hearing.

Determinations:

1. The Tenants have not paid the total rent the Tenants were required to pay for the period from November 1, 2019 to March 31, 2020. Because of the arrears, the Landlords served a Notice of Termination effective December 26, 2019.
2. The Landlords collected a rent deposit of \$1,350.00 from the Tenants and this deposit is still being held by the Landlords.
3. Interest on the rent deposit is owing to the Tenants for the period from June 30, 2019 to December 26, 2019.
4. The Tenants paid \$750.00 after the application was filed.
5. 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 postpone the eviction until March 31, 2020 pursuant to subsection 83(1)(b) of the Act.

It is ordered that:

1. Unless the Tenant voids the order as set out below, the tenancy between the Landlords and the Tenants is terminated. The Tenants must move out of the rental unit on or before March 31, 2020.
2. The Tenants shall pay to the Landlords \$3,931.14*, which represents the amount of rent owing and compensation up to March 17, 2020, less the rent deposit and interest the Landlords owe on the rent deposit.
3. The Tenants shall also pay to the Landlords \$44.38 per day for compensation for the use of the unit starting March 18, 2020 to the date the Tenants move out of the unit.
4. The Tenants shall also pay to the Landlords \$175.00 for the cost of filing the application.
5. If the Tenants do not pay the Landlords the full amount owing* on or before March 31, 2020, the Tenants will start to owe interest. This will be simple interest calculated from April 1, 2020 at 3.00% annually on the balance outstanding.
6. If the unit is not vacated on or before March 31, 2020, then starting April 1, 2020, 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 April 1, 2020.
8. If, on or before March 31, 2020, the Tenants pay the amount of \$6,075.00** to the Landlords or to the Board in trust, this order for eviction will be void. This means that the tenancy would not be terminated and the Tenants could remain in the unit. If this payment is not made in full and on time, the Landlords 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 April 1, 2020 but before the Sheriff gives vacant possession to the Landlords. The Tenants are only entitled to make this motion once during the period of the tenancy agreement with the Landlords.

March 17, 2020
Date Issued

Jim McMaster
Member, Landlord and Tenant Board

Eastern-RO
255 Albert Street, 4th Floor
Ottawa ON K1P6A9

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 October 1, 2020 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: EAL-87916-19

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)	November 1, 2019 to December 26, 2019	\$2,403.97
Less the amount the Tenants paid to the Landlords		-\$750.00
Plus compensation: (from the day after the termination date in the Notice to the date of the order)	December 27, 2019 to March 17, 2020	\$3,639.16
Less the rent deposit:		-\$1,350.00
Less the interest owing on the rent deposit:	June 30, 2019 to December 26, 2019	-\$11.99
Amount owing to the Landlords on the order date: (total of previous boxes)		\$3,931.14
Additional costs the Tenants must pay to the Landlords:		\$175.00
Plus daily compensation owing for each day of occupation starting March 18, 2020:		\$44.38 (per day)
Total the Tenants must pay the Landlords if the tenancy is terminated:		\$4,106.14, + \$44.38 per day starting March 18, 2020

B. Amount the Tenants must pay to void the eviction order and continue the tenancy:

Reasons for amount owing	Period	Amount
Arrears:	November 1, 2019 to March 31, 2020	\$6,650.00
Less the amount the Tenants paid to the Landlords		-\$750.00
Additional costs the Tenants must pay to the Landlords:		\$175.00
Total the Tenants must pay to continue the tenancy:	On or before March 31, 2020	\$6,075.00