



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

**File Number:** TEL-17010-21

**In the matter of:** 1 (UPPER), 512 ROMAINE STREET  
PETERBOROUGH ON K9J2C9

**Between:** Jonathan Norman Landlords  
Katelyn Norman

**and**

Aaron Rose Tenants  
Jen Davis

Jonathan Norman and Katelyn Norman (the 'Landlords') applied for an order to terminate the tenancy and evict Aaron Rose and Jen Davis (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe. The Landlords also claimed NSF cheque charges and related administration charges.

This application was heard by videoconference on August 18, 2021. Only the Landlords and the Landlord's Legal Representative, Glenna Grant, attended the hearing. As of 10:24 a.m., the Tenants were not present or represented at the hearing although properly served with notice of this hearing by the Board. The Landlord's Legal Representative also indicated the Tenants had spoken with her about the application and the scheduled hearing.

**Determinations:**

1. The Tenants have not paid the total rent the Tenants were required to pay for the period from September 1, 2020 to August 31, 2021. Because of the arrears, the Landlords served a Notice of Termination effective May 16, 2021.
2. The Tenants are in possession of the rental unit.
3. The lawful monthly rent is \$1,800.00.
4. The Landlord is not holding a last month's rent deposit.
5. The Tenants have made no payments since the application was filed.
6. The Landlords incurred charges of \$30.00 for cheques tendered by or on behalf of the Tenants, which were returned NSF and \$80.00 for related administration charges.
7. I have considered all of the disclosed circumstances in accordance with subsection 83 of the *Residential Tenancies Act, 2006* (RTA), including the impact of COVID-19 on the parties and whether the Landlord attempted to negotiate a repayment agreement with the

Tenant, 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. Unless the Tenants void 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 October 17, 2021.
2. The Tenants shall pay to the Landlords \$15,019.59\*, which represents the amount of rent owing and compensation up to October 6, 2021 and the total charges related to NSF cheques tendered to the Landlords by or on behalf of the Tenants.
3. The Tenants shall also pay to the Landlords \$59.18 per day for compensation for the use of the unit starting October 7, 2021 to the date the Tenants move out of the unit.
4. The Tenants shall also pay to the Landlords \$186.00 for the cost of filing the application.
5. If the Tenants do not pay the Landlords the full amount owing\* on or before October 17, 2021, the Tenants will start to owe interest. This will be simple interest calculated from October 18, 2021 at 2.00% annually on the balance outstanding.
6. If the unit is not vacated on or before October 17, 2021, then starting October 18, 2021, 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 October 18, 2021.
8. If, on or before October 17, 2021, the Tenants pay the amount of \$16,596.00\*\* 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 October 18, 2021 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.

**October 6, 2021**  
**Date Issued**



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A. Brkic  
Member, Landlord and Tenant Board

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.

In accordance with section 81 of the Act, the part of this order relating to the eviction expires on April 18, 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.

- \* 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: TEL-17010-21**

**A. Amount the Tenants must pay if the tenancy is terminated:**

<b>Reasons for amount owing</b>	<b>Period</b>	<b>Amount</b>
Arrears: (up to the termination date in the Notice of Termination)	September 1, 2020 to May 16, 2021	\$6,446.85
Plus compensation: (from the day after the termination date in the Notice to the date of the order)	May 17, 2021 to October 6, 2021	\$8,462.74
NSF cheque charges:		\$30.00
Administration charges related to NSF cheque charges:		\$80.00
Amount owing to the Landlords on the order date: (total of previous boxes)		<b>\$15,019.59</b>
Additional costs the Tenants must pay to the Landlords:		\$186.00
Plus daily compensation owing for each day of occupation starting October 7, 2021:		\$59.18 (per day)
<b>Total the Tenants must pay the Landlords if the tenancy is terminated:</b>		<b>\$15,205.59, + \$59.18 per day starting October 7, 2021</b>

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

<b>Reasons for amount owing</b>	<b>Period</b>	<b>Amount</b>
Arrears:	September 1, 2020 to October 31, 2021	\$16,300.00
Additional costs the Tenants must pay to the Landlords:		\$186.00
NSF cheque charges:		\$30.00
Administration charges related to NSF cheque charges:		\$80.00
<b>Total the Tenants must pay to continue the tenancy:</b>	On or before October 17, 2021	<b>\$16,596.00</b>

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