



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

**File Number:** CEL-02945-21

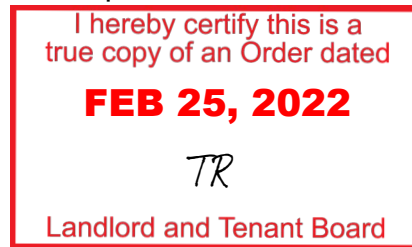
**In the matter of:** 1615, 1547 MISSISSAUGA VALLEY BOULEVARD  
MISSISSAUGA ON L5A3X8

**Between:** Morguard Nar Canada Limited Partnership Landlord

**and**

David W.T. Steele

Tenant



Morguard Nar Canada Limited Partnership (the 'Landlord') applied for an order to terminate the tenancy and evict David W.T. Steele (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on January 17, 2022. Only the Landlord's Legal Representative, Faith McGregor, attended the hearing. As of 2:16 p.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 November 1, 2020 to January 31, 2022. Because of the arrears, the Landlord served a Notice of Termination effective September 23, 2021.
2. The Tenant is in possession of the rental unit.
3. The lawful monthly rent is \$2,018.45.
4. The Tenant has made no payments since the application was filed.
5. The Landlord collected a rent deposit of \$2,018.45 from the Tenant and this deposit is still being held by the Landlord.
6. Interest on the rent deposit is owing to the Tenant for the period from January 1, 2021 to September 23, 2021.
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 Tenant voids the order as set out below, the tenancy between the Landlord and the Tenant is terminated. The Tenant must move out of the rental unit on or before March 8, 2022.
2. The Tenant shall pay to the Landlord \$12,245.12\*, which represents the amount of rent owing and compensation up to February 25, 2022, less the rent deposit and interest the Landlord owes on the rent deposit.
3. The Tenant shall also pay to the Landlord \$66.36 per day for compensation for the use of the unit starting February 26, 2022 to the date the Tenant moves out of the unit.
4. The Tenant shall also pay to the Landlord \$186.00 for the cost of filing the application.
5. If the Tenant does not pay the Landlord the full amount owing\* on or before March 8, 2022, the Tenant will start to owe interest. This will be simple interest calculated from March 9, 2022 at 2.00% annually on the balance outstanding.
6. If the unit is not vacated on or before March 8, 2022, then starting March 9, 2022, the Landlord 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 Landlord, on or after March 9, 2022.
8. If the Tenant wishes to void this order and continue the tenancy, the Tenant must pay to the Landlord or to the Board in trust:
  - i) \$14,749.65 if the payment is made on or before February 28, 2022, or
  - ii) \$16,768.10 if the payment is made on or before March 8, 2022\*\*.If the Tenant does not make full payment in accordance with this paragraph and by the appropriate deadline, then the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
9. The Tenant 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 March 9, 2022 but before the Sheriff gives vacant possession to the Landlord. The Tenant is only entitled to make this motion once during the period of the tenancy agreement with the Landlord.

**February 25, 2022**  
**Date Issued**



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Fabio Quattrociochi  
Member, Landlord and Tenant Board

Central-RO  
3 Robert Speck Pkwy, 5th Floor  
Mississauga ON L4Z2G5

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 September 9, 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: CEL-02945-21**

**A. Amount the Tenant 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)	November 1, 2020 to September 23, 2021	\$3,979.23
Plus compensation: (from the day after the termination date in the Notice to the date of the order)	September 24, 2021 to February 25, 2022	\$10,285.80
Less the rent deposit:		-\$2,018.45
Less the interest owing on the rent deposit:	January 1, 2021 to September 23, 2021	-\$1.46
Amount owing to the Landlord on the order date: (total of previous boxes)		<b>\$12,245.12</b>
Additional costs the Tenant must pay to the Landlord:		\$186.00
Plus daily compensation owing for each day of occupation starting February 26, 2022:		\$66.36 (per day)
<b>Total the Tenant must pay the Landlord if the tenancy is terminated:</b>		<b>\$12,431.12, + \$66.36 per day starting February 26, 2022</b>

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

**1. If the payment is made on or before February 28, 2022:**

<b>Reasons for amount owing</b>	<b>Period</b>	<b>Amount</b>
Arrears:	November 1, 2020 to February 28, 2022	\$14,563.65
Additional costs the Tenant must pay to the Landlord:		\$186.00
<b>Total the Tenant must pay to continue the tenancy:</b>	On or before February 28, 2022	<b>\$14,749.65</b>

2. If the payment is made after February 28, 2022 but on or before March 8, 2022:

<b>Reasons for amount owing</b>	<b>Period</b>	<b>Amount</b>
Arrears:	November 1, 2020 to March 31, 2022	\$16,582.10
Additional costs the Tenant must pay to the Landlord:		\$186.00
<b>Total the Tenant must pay to continue the tenancy:</b>	On or before March 8, 2022	\$16,768.10