



Order under Section 69
Residential Tenancies Act, 2006

File Number: EAL-92654-20

In the matter of: 2, 19 ROBINSON AVENUE
SMITHS FALLS ON K7A1K3

Between: Kelechi Acwiwu Landlord

and

Lyse Tremblay Tenant

Kelechi Acwiwu (the 'Landlord') applied for an order to terminate the tenancy and evict Lyse Tremblay (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by video conference on June 8, 2021. Only the Landlord's Legal Representative, M. Connolly. As of 10:31 a.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 July 1, 2020 to June 30, 2021. Because of the arrears, the Landlord served a Notice of Termination effective August 15, 2020.
2. The Tenant is in possession of the rental unit.
3. The monthly rent is \$1,050.00
4. The Landlord collected a rent deposit of \$1,050.00 from the Tenant and this deposit is still being held by the Landlord.
5. The Tenant paid \$3,600.00 after the application was filed.
6. The amount outstanding for the period ending June 30, 2020, inclusive of costs and arrears is \$5,736.00.
7. I have considered all of the disclosed circumstances in accordance with subsection 83(2) of the *Residential Tenancies Act, 2006* (the 'Act'), 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 not be unfair to grant relief from eviction subject to the

condition(s) set out in this order pursuant to subsection 83(1)(a) and 204(1) of the Act. The Landlord stated that the parties reached an agreement.

It is ordered that:


- 1. The Tenant shall pay to the Landlord \$5,736.00, which represents the arrears of rent outstanding for the period ending June 30, 2021.
- 2. The Landlords' application for eviction of the Tenant is denied on the condition that:
 - (a) The Tenant shall make the following payments to the Landlords in respect of the monies owing under paragraph 1 of this order:

Date Payment Due	Amount of Payment
For the period starting July 15, 2021 to May 15, 2022	\$500.00 on the 15th day of each corresponding month
On or before, July 15, 2022	\$236.00

- (b) The Tenant shall also pay the Landlords the rent for the months of July 2021 up to and including July 2022 in full, on or before the first day of each corresponding month.
- 3. If the Tenant fails to make any of the payments in accordance with paragraph 2, and by the dates required, then:
 - (a) The Landlords may apply under section 78 of the *Residential Tenancies Act, 2006* (the 'Act') for an order terminating the tenancy and evicting the Tenant, and for the payment of any new arrears of rent and NSF charges not already ordered under paragraph 1 of this order. The Landlords must make the application within 30 days of a breach of a condition set out in paragraph 2 of this order.
- 4. The balance owing under paragraph 1 of this order shall become payable on the day following the date of default. The monies owing shall bear interest at the post-judgment interest rate determined under subsection 207(7) of the Act.

June 15, 2021
Date Issued

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



Jitewa Edu
Member, Landlord and Tenant Board

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