



Order under Section 69
Residential Tenancies Act, 2006

File Number: NOL-41715-21

In the matter of: 21 HARDING AVENUE
KIRKLAND LAKE ON P2N1B3

Between: Joseph Gauthier Landlord

and

Sherry Barker Tenants
Darren Hutchinson

Joseph Gauthier (the 'Landlord') applied for an order to terminate the tenancy and evict Sherry Barker and Darren Hutchinson (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was heard via video conference on June 10, 2021. Only the Landlord attended the hearing. As of 2:00 p.m., the Tenants were not present or represented at the hearing although properly served with notice of this hearing as it appears from the Certificate of Service.

Determinations:

1. The Tenants have not paid the total rent the Tenants were required to pay for the period from October 1, 2020 to March 31, 2021. Because of the arrears, the Landlord served a Notice of Termination effective December 30, 2020.
1. The Tenants vacated the rental unit on March 27, 2021. The Tenants were in possession of the rental unit on the date the application was filed.
2. The lawful monthly rent was \$1,800.00.
3. The Tenants have made no payments since the application was filed.
2. The Landlord collected a rent deposit of \$1,800.00 from the Tenants and this deposit is still being held by the Landlord.
3. Interest on the rent deposit is owing to the Tenants for the period from September 20, 2019 to December 30, 2020.

It is ordered that:

1. The Tenancy is terminated as of March 27, 2021, the date the Tenants gave vacant possession of the rental unit to the Landlord.
2. The Tenants shall pay to the Landlord \$8,333.22*, which represents the amount of rent owing and compensation up to March 27, 2021, less the rent deposit and interest the Landlord owes on the rent deposit.
3. The Tenants shall also pay to the Landlord \$186.00 for the cost of filing the application.
4. If the Tenants do not pay the Landlord the full amount owing* on or before June 27, 2021, the Tenant will start to owe interest. This will be simple interest calculated from June 28, 2021 at 2.00% annually on the balance outstanding.

June 17, 2021
Date Issued



Dawn Sullivan
Member, Landlord and Tenant Board

Northern-RO
199 Larch Street, Provincial Building, Suite 301
Sudbury ON P3E5P9

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

* Refer to section A on the attached Summary of Calculations.

**Schedule 1
SUMMARY OF CALCULATIONS**

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A. Amount the Tenant must pay as the tenancy is terminated:

Reasons for amount owing	Period	Amount
Arrears: (up to the termination date in the Notice of Termination)	October 1, 2020 to December 30, 2020	\$5,035.34
Plus compensation: (from the day after the termination date in the Notice to the date the Tenant vacated)	December 31, 2020 to March 27, 2021	\$5,148.66
Less the rent deposit:		-\$1,800.00
Less the interest owing on the rent deposit:	September 20, 2019 to December 30, 2020	-\$50.78
Amount owing to the Landlord on the order date: (total of previous boxes)		\$8,333.22
Additional costs the Tenant must pay to the Landlord:		\$186.00
Total the Tenant must pay the Landlord as the tenancy is terminated:		\$8,519.22

2021 CanLII 95763 (ON LTB)