



Order under Section 69
Residential Tenancies Act, 2006

File Number: TEL-18483-21

In the matter of: B UPPER, 1466 KINGSTON ROAD
SCARBOROUGH ON M1N1R6

Between: Kien Hoang Landlord

and

Gary Thompson Tenant

Kien Hoang (the 'Landlord') applied for an order to terminate the tenancy and evict Gary Thompson (the 'Tenant') because the Tenant has been persistently late in paying the Tenant's rent. The Landlord also claimed compensation for each day the Tenant remained in the unit after the termination date.

This application was heard by teleconference on September 7, 2021.

Only the Landlord attended the hearing. As of 1:29 pm, 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 persistently failed to pay the rent on the date it was due.
2. The Landlord has incurred a fee of \$186.00 to file this application.
3. 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 be unfair to grant relief from eviction pursuant to subsection 83(1) of the Act.

It is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated, as of October 3, 2021. The Tenant must move out of the rental unit on or before October 3, 2021.
2. If the Tenant does not move out of the unit on or before October 3, 2021 the Tenant shall pay to the Landlord \$24.66 per day for compensation for the use of the unit from October 4, 2021 to the date the Tenant moves out of the unit.
3. The Tenant shall pay to the Landlord \$186.00 for the cost of filing the application.

4. If the Tenant does not pay the Landlord the full amount owing on or before October 3, 2021, the Tenant will start to owe interest. This will be simple interest calculated from October 4, 2021 at 2.00% annually on the balance outstanding.
5. If the unit is not vacated on or before October 3, 2021, then starting October 4, 2021, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
6. 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 October 4, 2021.



Renée Lang
Member, Landlord and Tenant Board

September 22, 2021
Date Issued

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 4, 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.