



Order under Section 69
Residential Tenancies Act, 2006

File Number: SOL-18454-20

In the matter of: 1, 26 VINE STREET
ST. CATHARINES ON L2R3X8

Between: Rwc Management Landlord

and

Sarah Davies Tenant

Rwc Management (the 'Landlord') applied for an order to terminate the tenancy and evict Sarah Davies (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard in video conference room 84 on June 15, 2021.

Only the Landlord's representative, I. Fabian, attended when the hearing was called at 11:51AM.

Determinations:

1. The Tenant has not paid the total rent the Tenant was required to pay for the period from October 1, 2020 to June 30, 2021. Because of the arrears, the Landlord served a Notice of Termination effective November 17, 2020.
2. The Landlord collected a rent deposit of \$1,700.00 from the Tenant and this deposit is still being held by the Landlord.
3. Interest on the rent deposit is owing to the Tenant for the period from January 1, 2020 to November 17, 2020.
4. The Tenant paid \$2,800.00 after the application was filed.
5. 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.
6. The Tenant vacated the rental unit on February 28, 2021

It is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated. The Tenant moved out of the rental unit on February 28, 2021.
2. The Tenant shall pay to the Landlord \$1,273.80*, which represents the amount of rent owing and compensation up to February 28, 2021, less the rent deposit and interest the Landlord owes on the rent deposit.
3. The Tenant shall also 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 August 14, 2021, the Tenant will start to owe interest. This will be simple interest calculated from August 15, 2021 at 2.00% annually on the balance outstanding.



Harry Cho
Member, Landlord and Tenant Board

August 3, 2021
Date Issued

Southern-RO
119 King Street West, 6th Floor
Hamilton ON L8P4Y7

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 if 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 November 17, 2020 | \$50.14 |
| Less the amount the Tenant paid to the Landlord | | -\$2,800.00 |
| Plus compensation: (from the day after the termination date in the Notice to the date of the order) | November 18, 2020 to February 28, 2021 | \$5,756.67 |
| Less the rent deposit: | | -\$1,700.00 |
| Less the interest owing on the rent deposit: | January 1, 2020 to November 17, 2020 | -\$33.01 |
| Amount owing to the Landlord on the order date: (total of previous boxes) | | \$1,273.80 |
| Additional costs the Tenant must pay to the Landlord: | | \$186.00 |
| Total the Tenant must pay the Landlord if the tenancy is terminated: | | \$1,459.80 |

2021 CanLII 116723 (ON LTB)