



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

**File Number:** NOL-44396-21

**In the matter of:** 113 CAMPBELL AVENUE  
SAULT STE MARIE ON P6B3B6

**Between:** Sault Ste Marie Housing Corp

Landlord

**and**

Denis Leclerc

Tenant

Sault Ste Marie Housing Corp (the 'Landlord') applied for an order to terminate the tenancy and evict Denis Leclerc (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on February 3, 2022. The Landlord's Agent, Cassandra Pollard, and the Tenant attended the hearing.

**Determinations:**

1. The Tenant has not paid the total rent the Tenant was required to pay for the period from July 1, 2021 to February 28, 2022. Because of the arrears, the Landlord served a Notice of Termination effective October 28, 2021.
2. The Tenant is in possession of the rental unit.
3. As of January 1, 2022, the monthly rent is \$1,200.00.
4. The Landlord is not holding a last month's rent deposit.
5. The Tenant paid \$1,466.00 after the application was filed.
6. 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 Landlords attempted to negotiate a repayment agreement with the Tenant, and find that it would not be unfair to postpone the eviction until April 30, 2022 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 **April 30, 2022**.

2. The Tenant shall pay to the Landlord **\$1,522.96\***, which represents the amount of rent owing and compensation up to February 11, 2022.
3. The Tenant shall also pay to the Landlord **\$39.45** per day for compensation for the use of the unit starting February 12, 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 April 30, 2022, the Tenant will start to owe interest. This will be simple interest calculated from May 1, 2022 at 2.00% annually on the balance outstanding.
6. If the unit is not vacated on or before April 30, 2022, then starting May 1, 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 May 1, 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) **\$2,452.00** if the payment is made on or before February 28, 2022, or
  - ii) **\$3,652.00** if the payment is made on or before March 31, 2022
  - iii) **\$4,852.00** if the payment is made on or before April 30, 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 the Tenant pays the amount required under that subsection on or after May 1, 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 11, 2022**  
**Date Issued**

Michael Di Salle  
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.

In accordance with section 81 of the Act, the part of this order relating to the eviction expires on November 1, 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: NOL-44396-21**

2022 CanLII 106624 (ON LTB)

**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)	July 1, 2021 to January 28, 2022	\$2,436.66
Less the amount the Tenant paid to the Landlord		-\$1,466.00
Plus compensation: (from the day after the termination date in the Notice to the date of the order)	January 29, 2022 to February 11, 2022	\$552.30
Amount owing to the Landlord on the order date: (total of previous boxes)		<b>\$1,522.96</b>
Additional costs the Tenant must pay to the Landlord:		\$186.00
Plus daily compensation owing for each day of occupation starting February 12, 2022:		\$39.45 (per day)
<b>Total the Tenant must pay the Landlord if the tenancy is terminated:</b>		<b>\$1,708.96, + \$39.45 per day starting February 12, 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:	July 1, 2021 to February 28, 2022	\$3,732.00
Less the amount the Tenant paid to the Landlord:		-\$1,466.00
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>\$2,452.00</b>

**2. If the payment is made after February 28, 2022 but on or before March 31, 2022:**

<b>Reasons for amount owing</b>	<b>Period</b>	<b>Amount</b>
Arrears:	July 1, 2021 to March 31, 2022	\$4,932.00
Less the amount the Tenant paid to the Landlord:		-\$1,466.00
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 31, 2022	<b>\$3,652.00</b>

**3. If the payment is made after March 31, 2022 but on or before April 30, 2022:**

<b>Reasons for amount owing</b>	<b>Period</b>	<b>Amount</b>
Arrears:	July 1, 2021 to April 30, 2022	\$6,132.00
Less the amount the Tenant paid to the Landlord:		-\$1,466.00
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 April 30, 2022	<b>\$4,852.00</b>