



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

**File Number:** CEL-00642-21

**In the matter of:** 1, 87 SIMCOE ROAD  
BRADFORD ON L0G1B0

**Between:** Poltorac Real Estate Holdings Inc.  
Simcoe A.J. Investments Ltd.

Landlords

**and**

Sheri Dolph

Tenant

Poltrac Real Estate Holdings Inc. and Simcoe A.J. Investments Ltd. (the 'Landlords') applied for an order to terminate the tenancy and evict Sheri Dolph (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on July 30, 2021.

Only the Landlords' Legal Representative, A. Vinberg, attended the hearing. As of 10:39 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 May 1, 2021 to July 31, 2021. Because of the arrears, the Landlords served a Notice of Termination effective May 19, 2021.
2. The application is amended to reflect that the Landlords for the rental unit are Poltrac Real Estate Holdings Inc. and Simcoe A.J. Investments Ltd.
3. The Tenant is in possession of the rental unit.
4. The lawful monthly rent is \$2,200.00.
5. The Tenant has made no payments since the application was filed.
6. The Landlords collected a rent deposit of \$2,200.00 from the Tenant and this deposit is still being held by the Landlords.

7. The Landlords have offered multiple payment plans to the Tenant in efforts to resolve this application through an agreement, but no agreement has been reached between the parties.
8. I have considered all of the disclosed circumstances in accordance with section 83 of the *Residential Tenancies Act, 2006* (the 'Act'), including the impact of the COVID-19 pandemic on the parties and whether the Landlords attempted to negotiate a repayment agreement with the Tenant, and find that it would be unfair to grant relief from eviction pursuant to subsection 83(1) of the Act. The arrears of rent are considerable and growing, and it would not be reasonable to postpone this eviction any further.

**It is ordered that:**

1. Unless the Tenant voids the order as set out below, the tenancy between the Landlords and the Tenant is terminated. The Tenant must move out of the rental unit on or before September 10, 2021.
2. The Tenant shall pay to the Landlords \$6,623.59\*, which represents the amount of rent owing and compensation up to August 30, 2021, less the rent deposit and interest the Landlord owes on the rent deposit.
3. The Tenant shall also pay to the Landlords \$72.33 per day for compensation for the use of the unit starting August 31, 2021 to the date the Tenant moves out of the unit.
4. The Tenant shall also pay to the Landlords \$186.00 for the cost of filing the application.
5. If the Tenant does not pay the Landlords the full amount owing\* on or before September 10, 2021, the Tenant will start to owe interest. This will be simple interest calculated from September 11, 2021 at 2.00% annually on the balance outstanding.
6. If the unit is not vacated on or before September 10, 2021, then starting September 11, 2021, the Landlords 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 Landlords, on or after September 11, 2021.
8. If the Tenant wishes to void this order and continue the tenancy, the Tenant must pay to the Landlords or to the Board in trust:
  - i) \$8,986.00 if the payment is made on or before August 31, 2021, or
  - ii) \$11,186.00 if the payment is made on or before September 10, 2021\*\*.If the Tenant does not make full payment in accordance with this paragraph and by the appropriate deadline, then the Landlords 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 they pay the amount required under that subsection on or after

September 11, 2021 but before the Sheriff gives vacant possession to the Landlords. The Tenant is only entitled to make this motion once during the period of the tenancy agreement with the Landlords.

**August 30, 2021**  
**Date Issued**



Arnab Quadry  
Member, Landlord and Tenant Board

Central-RO  
3 Robert Speck Pkwy, 5th Floor  
Mississauga ON L4Z2G5

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 March 11, 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**

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2021 CanLII 113616 (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)	May 1, 2021 to May 19, 2021	\$1,374.25
Plus compensation: (from the day after the termination date in the Notice to the date of the order)	May 20, 2021 to August 30, 2021	\$7,449.99
Less the rent deposit:		-\$2,200.00
Amount owing to the Landlords on the order date: (total of previous boxes)		<b>\$6,623.59</b>
Additional costs the Tenant must pay to the Landlords:		\$186.00
Plus daily compensation owing for each day of occupation starting August 31, 2021:		\$72.33 (per day)
<b>Total the Tenant must pay the Landlords if the tenancy is terminated:</b>		<b>\$6,809.59, + \$72.33 per day starting August 31, 2021</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 August 31, 2021:**

<b>Reasons for amount owing</b>	<b>Period</b>	<b>Amount</b>
Arrears:	May 1, 2021 to August 31, 2021	\$8,800.00
Additional costs the Tenant must pay to the Landlords:		\$186.00
<b>Total the Tenant must pay to continue the tenancy:</b>	On or before August 31, 2021	<b>\$8,986.00</b>

**2. If the payment is made after August 31, 2021 but on or before September 10, 2021:**

<b>Reasons for amount owing</b>	<b>Period</b>	<b>Amount</b>
Arrears:	May 1, 2021 to September 30, 2021	\$11,000.00
Additional costs the Tenant must pay to the Landlords:		\$186.00
<b>Total the Tenant must pay to continue the tenancy:</b>	On or before September 10, 2021	<b>\$11,186.00</b>