



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

**File Number:** HOL-06882-20

**In the matter of:** 32 SUMAC DRIVE  
CALEDONIA ON N3W0C2

**Between:** Gurneet Kaur  
Gagandeep Singh  
Mandeep Singh

**and**

Mary Konispoliatis  
Nicole Shepherd  
Thomas Jimmerson



Landlords

Tenants

Gurneet Kaur, Gagandeep Singh and Mandeep Singh (the 'Landlords') applied for an order to terminate the tenancy and evict Mary Konispoliatis, Nicole Shepherd and Thomas Jimmerson (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was heard by video conference on October 6, 2020 at 11:30 a.m. As of 12:00 p.m., the Tenants were not present or represented at the hearing although properly served with notice of this hearing by the Board. The Landlord, Mandeep Singh and the Landlord's Agent, Rajan Fahavalirajan attended the hearing.

**Determinations:**

1. The Tenants have not paid the total rent the Tenants were required to pay for the period from February 1, 2020 to October 31, 2020. Because of the arrears, the Landlords served a Notice of Termination.
2. The Tenants are in possession of the rental unit.
3. The monthly rent is \$1850.00.
4. The Tenants have made no payments since the application was filed.
5. The Landlords collected a rent deposit of \$350.00 from the Tenants and this deposit is still being held by the Landlords.

6. Interest on the rent deposit is owing to the Tenants for the period from March 8, 2019 to September 30, 2020.
7. I have considered all of the disclosed circumstances in accordance with subsection 83(2) 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 Tenants, 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. Unless the Tenant voids the order as set out below, the tenancy between the Landlords and the Tenants is terminated. The Tenants must move out of the rental unit on or before October 19, 2020.
2. The Tenants shall pay to the Landlords \$16,838.73\*, which represents the amount of rent owing and compensation up to October 8, 2020, less the rent deposit and interest the Landlords owe on the rent deposit.
3. The Tenants shall also pay to the Landlords \$60.82 per day for compensation for the use of the unit starting October 9, 2020 to the date the Tenants move out of the unit.
4. The Tenants shall also pay to the Landlords \$175.00 for the cost of filing the application.
5. If the Tenants do not pay the Landlords the full amount owing\* on or before October 19, 2020, the Tenants will start to owe interest. This will be simple interest calculated from October 20, 2020 at 2.00% annually on the balance outstanding.
6. If the unit is not vacated on or before October 19, 2020, then starting October 20, 2020, 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 October 20, 2020.
8. **If, on or before October 19, 2020, the Tenants pay the amount of \$18,739.26\*\* to the Landlords or to the Board in trust, this order for eviction will be void.** This means that the tenancy would not be terminated and the Tenants could remain in the unit. If this payment is not made in full and on time, the Landlords may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
9. The Tenants 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 October 20, 2020 but before the Sheriff gives vacant possession to the Landlords. The Tenants

are only entitled to make this motion once during the period of the tenancy agreement with the Landlords.



**October 8, 2020**  
**Date Issued**

---

Troy Rossignol  
Member, Landlord and Tenant Board

LTB-3 Robert Speck Parkway, Suite 520  
Mississauga, Ontario L4Z 2G5

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 20, 2021 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: HOL-06882-20**

**A. Amount the Tenants must pay if the tenancy is terminated:**

<b>Reasons for amount owing</b>	<b>Period</b>	<b>Amount</b>
Arrears:	February 1, 2020 to September 30, 2020	\$16,714.26
Plus compensation:	October 1, 2020 to October 8, 2020	\$486.56
Less the rent deposit:		-\$350.00
Less the interest owing on the rent deposit:	March 8, 2019 to September 30, 2020	-\$12.09
Amount owing to the Landlords on the order date:(total of previous boxes)		<b>\$16,838.73</b>
Additional costs the Tenants must pay to the Landlords:		\$175.00
Plus daily compensation owing for each day of occupation starting October 9, 2020:		\$60.82 (per day)
<b>Total the Tenants must pay the Landlords if the tenancy is terminated:</b>		<b>\$17,013.73, + \$60.82 per day starting October 9, 2020</b>

**B. Amount the Tenants must pay to void the eviction order and continue the tenancy:**

<b>Reasons for amount owing</b>	<b>Period</b>	<b>Amount</b>
Arrears:	February 1, 2020 to October 31, 2020	\$18,564.26
Additional costs the Tenants must pay to the Landlords:		\$175.00
<b>Total the Tenants must pay to continue the tenancy:</b>	On or before October 19, 2020	\$18,739.26