



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

**File Number:** CEL-96846-20

**In the matter of:** BASEMENT, 31 HORNE DRIVE  
BRAMPTON ON L6V2V2

**Between:** Marisa Tolfa Landlord

**and**

Grace Dalafu Tenants  
Victor Vidal

Marisa Tolfa (the 'Landlord') applied for an order to terminate the tenancy and evict Victor Vidal and Grace Dalafu (the 'Tenants') because the Landlord requires possession of the rental unit for the purpose of residential occupation. The Landlord also claimed compensation for each day the Tenants remained in the unit after the termination date.

This application was heard via videoconference on June 17, 2021 at 9:00 a.m.

The Landlord, represented by Anna Vinberg, a licensed Paralegal, and the Tenants attended the hearing.

**Determinations:**

1. The Landlord in good faith requires possession of the rental unit for the purpose of residential occupation.
2. The Tenants were in possession of the rental unit when the application was filed.
3. The lawful monthly rent is \$1,200.00
4. The Landlord collected a rent deposit of \$1,200.00 from the Tenants and this deposit is still being held by the Landlord.
5. Interest on the rent deposit is owing to the Tenants for the period from March 1, 2018 to December 31, 2020
6. The Landlord paid the Tenant compensation equal to one month's rent on November 1, 2020.

7. 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 not be unfair to postpone the eviction until August 31, 2021 pursuant to subsection 83(1)(b) of the Act.

**It is ordered that:**

1. The tenancy between the Landlord and the Tenants is terminated, as of August 31, 2021. The Tenants must move out of the rental unit on or before August 31, 2021
2. The Tenants shall pay to the Landlord \$8,000.56, which represents compensation for the use of the unit from January 1, 2021 to August 23, 2021, less the rent deposit and interest the Landlord owes on the rent deposit.
3. The Tenants shall also pay to the Landlord \$39.45 per day for compensation for the use of the unit from August 24, 2021 to the date they move out of the unit.
4. The Tenants shall also pay to the Landlord \$186.00 for the cost of filing the application.
5. If the Tenants do not pay the Landlord the full amount owing on or before September 3, 2021, they will start to owe interest. This will be simple interest calculated from September 4, 2021 at 2.00% annually on the balance outstanding.
6. If the unit is not vacated on or before August 31, 2021, then starting September 1, 2021, 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 September 1, 2021.

**August 23, 2021**  
**Date Issued**



Peter Pavlovic  
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 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.