



Order under Section 69
Residential Tenancies Act, 2006

File Number: TSL-17116-20

In the matter of: UPPER, 61 TROWELL AVENUE
YORK ON M6M1L5

Between: Cassandra Jenner Landlord

and

Jamey Fehr Tenants
Jonelle Elliott

Cassandra Jenner (the 'Landlord') applied for an order to terminate the tenancy and evict Jamey Fehr and Jonelle Elliott (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was heard by videoconference on February 3, 2021. The Landlord's Legal Representative Kate Sinipostolova and the Tenants attended the hearing. The Tenant declined the opportunity to speak with Duty Counsel prior to the hearing.

Determinations:

1. The Tenants have not paid the total rent the Tenants were required to pay for the period from April 1, 2020 to February 28, 2021. Because of the arrears, the Landlord served a Notice of Termination effective August 5, 2020.
2. The Tenants vacated the rental unit on September 18, 2020. The Tenants were in possession of the rental unit on the date the application was filed.
3. The lawful monthly rent was \$3,195.00.
4. The Tenants have made no payments since the application was filed.
5. The Landlord collected a rent deposit of \$3,195.00 from the Tenants and this deposit is still being held by the Landlord.
6. Interest on the rent deposit is owing to the Tenants for the period from March 11, 2020 to August 5, 2020.
7. This was agreed upon by the parties.

8. The Tenants requested one year to pay of the amount owing as they are currently not working due to the COVID pandemic.
9. The Landlords disputed this requested.
10. I find that a one year repayment plan is unreasonable and prejudicial to Landlord as the Tenants have vacated the rental unit.

It is ordered that:

1. The tenancy is terminated as of September 18, 2020, the date the Tenants gave vacant possession of the rental unit to the Landlord.
2. The Tenants shall pay to the Landlord \$10,508.47*, which represents the amount of rent owing and compensation up to September 18, 2020, less the rent deposit and interest the Landlord owes on the rent deposit.
3. The Tenants shall also pay to the Landlord \$186.00 for the cost of filing the application.
4. If the Tenants do not pay the Landlord the full amount owing* on or before August 2, 2021, the Tenants will start to owe interest. This will be simple interest calculated from August 3, 2021 at 2.00% annually on the balance outstanding.

July 21, 2021

Date Issued



Shannon Kiekens
Member, Landlord and Tenant Board

Toronto South-RO
15 Grosvenor Street, 1st Floor
Toronto ON M7A 2G6

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 Tenants must pay as the tenancy is terminated:

Reasons for amount owing	Period	Amount
Arrears: (up to the termination date in the Notice of Termination)	April 1, 2020 to August 5, 2020	\$9,110.21
Plus compensation: (from the day after the termination date in the Notice to the date of the order)	August 6, 2020 to September 18, 2020	\$4,621.76
Less the rent deposit:		-\$3,195.00
Less the interest owing on the rent deposit:	March 11, 2020 to August 5, 2020	-\$28.50
Amount owing to the Landlord on the order date: (total of previous boxes)		\$10,508.47
Additional costs the Tenants must pay to the Landlord:		\$186.00
Total the Tenants must pay the Landlord as the tenancy is terminated:		\$10,694.47

2021 CanLII 113128 (ON LTB)