



Order under Section 78(6)
Residential Tenancies Act, 2006

File Number: NOL-43010-21

In the matter of: 5 COPERNICUS DRIVE
SAULT STE MARIE ON P6A 6H5

Between: Grandview Gardens Landlord

and

Lydia Green Tenant

Grandview Gardens (the 'Landlord') applied for an order to terminate the tenancy and evict Lydia Green (the 'Tenant') and for an order to have the Tenant pay the rent the Tenant owes because the Tenant failed to meet a condition specified in the order issued by the Board on June 3, 2021 with respect to application NOL-41191-20.

Determinations:

1. The order provided that the Landlord could apply to the Board under section 78 of the *Residential Tenancies Act, 2006* (the 'Act') without notice to the Tenant to terminate the tenancy and evict the Tenant if the Tenant did not meet certain condition(s) specified in the order.
2. I find that the Tenant has not met the following condition specified in the order: **The Tenant did not pay the monthly rent on or before June 1, 2021.**
3. The previous application included a request for an order for the payment of arrears of rent. The resulting order required the Tenant to pay rent or some or all the arrears of rent. Accordingly, in addition to eviction, the Landlord is entitled to request an order for the payment of arrears of rent and compensation.
4. The Tenant was ordered to pay \$5,481.31 for rent arrears and the costs related to the Landlord's application fee in Order NOL-41191-20. The amount that is still owing from that order is \$5,481.31 and that amount is included in this order. **As a result, the previous order NOL-41191-20 is cancelled.**
5. Since the date of the order, the Tenant has failed to pay the full rent that became owing for the period from June 1, 2021 to June 30, 2021.
6. The Landlord collected a rent deposit of \$1,075.00 from the Tenant and this deposit is still being held by the Landlord.

7. Interest on the rent deposit is owing to the Tenant for the period from November 5, 2019 to June 15, 2021.

It is ordered that:

1. Order NOL-41191-20 is cancelled.
2. The tenancy between the Landlord and the Tenant is terminated. The Tenant must move out of the rental unit on or before June 26, 2021.
3. The Tenant shall pay to the Landlord \$4,934.80*. This amount represents the rent owing up to June 15, 2021 and the costs related to the application fee for the previous application, less the rent deposit and interest the Landlord owes on the rent deposit.
4. The Tenant shall also pay to the Landlord \$36.86 per day for compensation for the use of the unit starting June 16, 2021 to the date the Tenant moves out of the unit.
5. If the Tenant does not pay the Landlord the full amount owing* on or before June 26, 2021, the Tenant will start to owe interest. This will be simple interest calculated from June 27, 2021 at 2.00% annually on the balance outstanding.
6. If the unit is not vacated on or before June 26, 2021, then starting June 27, 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 June 27, 2021.



June 15, 2021
Date Issued

Dawn Wickett
Member, Landlord and Tenant Board

Northern-RO
199 Larch Street, Provincial Building, Suite 301
Sudbury ON P3E5P9

The tenant has until June 25, 2021 to file a motion with the Board to set aside the order under s. 78(9) of the Act. If the tenant files the motion by June 25, 2021 the order will be stayed and the Board will schedule a hearing.

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 December 27, 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 the attached Summary of Calculations.

Summary of Calculations

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Amount the Tenant must pay

Reason for amount owing	Period	Amount
Amount owing from previous order or settlement plus New Arrears:		\$6,034.17
Less the rent deposit:		-\$1,075.00
Less the interest owing on the rent deposit	November 5, 2019 to June 15, 2021	-\$24.37
Plus daily compensation owing for each day of occupation starting June 16, 2021		\$36.86 (per day)
Total the Tenant must pay the Landlord:		\$4,934.80, + \$36.86 per day starting June 16, 2021

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