



Order under Section 69
Residential Tenancies Act, 2006

File Number: CEL-92568-20

In the matter of: 150 OAKES DRIVE
MISSISSAUGA ON L5G3M1

Between: Mike Lorkovic Landlord

and

Eliane Bejjani Tenants
Vahid Seyfaie

Mike Lorkovic (the 'Landlord') applied for an order to terminate the tenancy and evict Vahid Seyfaie and Eliane Bejjani (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was heard in Mississauga on March 11, 2020.

Only the Landlord attended the hearing.

As a result of a Superior Court of Justice order suspending the enforcement of LTB eviction orders during the period from March 19, 2020 to July 31, 2020, the issuance of this Order has been delayed. Any payments made by the Tenant(s) to the Landlord not previously reported after the application was filed by the Landlord must be deducted from the amount ordered by the Board.

Determinations:

1. The Tenants have not paid the total rent the Tenants were required to pay for the period from January 3, 2020 to April 2, 2020. Because of the arrears, the Landlord served a Notice of Termination effective February 4, 2020.
2. 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 be unfair to grant relief from eviction pursuant to subsection 83(1) of the Act.

It is ordered that:

1. Unless the Tenants void the order as set out below, the tenancy between the Landlord and the Tenants is terminated. The Tenants must move out of the rental unit on or before August 17, 2020.

2. The Tenants shall pay to the Landlord \$17,787.34*, which represents the amount of rent owing and compensation up to August 6, 2020.
3. The Tenants shall also pay to the Landlord \$82.19 per day for compensation for the use of the unit starting August 7, 2020 to the date the Tenants move out of the unit.
4. The Tenants shall also pay to the Landlord \$175.00 for the cost of filing the application.
5. If the Tenants do not pay the Landlord the full amount owing* on or before August 17, 2020, the Tenants will start to owe interest. This will be simple interest calculated from August 18, 2020 at 2.00% annually on the balance outstanding.
6. If the unit is not vacated on or before August 17, 2020, then starting August 18, 2020, 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 August 18, 2020.
8. If, on or before August 17, 2020, the Tenants pay the amount of \$20,175.00** to the Landlord 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 Landlord 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 August 18, 2020 but before the Sheriff gives vacant possession to the Landlord. The Tenants are only entitled to make this motion once during the period of the tenancy agreement with the Landlord.
10. Any payments made by the Tenant(s) to the Landlord not previously reported after the application was filed by the Landlord must be deducted from the amount ordered by the Board.



Randy Aulbrook
Member, Landlord and Tenant Board

August 6, 2020
Date Issued

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 February 18, 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**

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2020 CanLII 116563 (ON LTB)

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

Reasons for amount owing	Period	Amount
Arrears: (up to the termination date in the Notice of Termination)	January 3, 2020 to February 4, 2020	\$2,664.38
Plus compensation: (from the day after the termination date in the Notice to the date of the order)	February 5, 2020 to August 6, 2020	\$15,122.96
Amount owing to the Landlord on the order date: (total of previous boxes)		\$17,787.34
Additional costs the Tenants must pay to the Landlord:		\$175.00
Plus daily compensation owing for each day of occupation starting August 7, 2020:		\$82.19 (per day)
Total the Tenants must pay the Landlord if the tenancy is terminated:		\$17,962.34, + \$82.19 per day starting August 7, 2020

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

Reasons for amount owing	Period	Amount
Arrears:	January 3, 2020 to September 2, 2020	\$20,000.00
Additional costs the Tenants must pay to the Landlord:		\$175.00
Total the Tenants must pay to continue the tenancy:		\$20,175.00