



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-035709-24

In the matter of: Main floor, 235 ARTHUR ST
OSHAWA ON L1H1N5

Between: Ifenna Maxwell Aham
Chigozie Collins Aham

And

Kayla Marie Lajoie
Justin Lajoie

I hereby certify this is a
true copy of an Order dated

OCT 04, 2024

Landlord and Tenant Board

Landlords

Tenants

Ifenna Maxwell Aham and Chigozie Collins Aham (the 'Landlords') applied for an order to terminate the tenancy and evict Kayla Marie Lajoie and Justin Lajoie (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was heard by videoconference on August 20, 2024.

The Landlords, the Landlords' representative, Ravis Mohebbian, and one of the Tenants, Kayla Marie Lajoie, attended the hearing.

Determinations:

1. The Landlords served the Tenants with a valid Notice to End Tenancy Early for Non-payment of Rent (N4 Notice). The Tenants did not void the notice by paying the amount of rent arrears owing by the termination date in the N4 Notice or before the date the application was filed.
2. As of the hearing date, the Tenants were still in possession of the rental unit.
3. The lawful rent is \$3,000.00. It is due on the 15th day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$98.63. This amount is calculated as follows: \$3,000.00 x 12, divided by 365 days.
5. The Tenants has paid \$5,500.00 to the Landlords since the application was filed.
6. The parties agreed the rent arrears owing to September 14, 2024 are \$13,900.00.
7. The Landlords incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
8. The Landlords collected a rent deposit of \$3,000.00 from the Tenants and this deposit is still being held by the Landlords. The rent deposit can only be applied to the last rental period of the tenancy if the tenancy is terminated.

9. Interest on the rent deposit, in the amount of \$65.14 is owing to the Tenants for the period from October 9, 2023 to August 20, 2024.

Relief from eviction

10. One of the Tenants, Kayla Marie Lajoie ("K.L."), requested relief from eviction and proposed a payment plan. K.L. testified that they fell into rent arrears because first her dad had a heart attack and she was unable to work and then later, her grandmother passed away and she flew out to see her. The Tenants said they are able to pay \$2,000.00 a month toward rent arrears and their lawful rent on time. The Landlords opposed the Tenants' request. 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 grant relief from eviction subject to the conditions set out in this order pursuant to subsection 83(1)(a) and 204(1) of the Act. K.L. testified she had been struggling for 8 months, but 11 days prior to the hearing, she started working again and will be able to make rent payments on time moving forward as well as pay \$2,000.00 toward rent arrears each month.

It is ordered that:

1. The Tenants shall pay the Landlords \$14,086.00, which includes rent arrears owing up to September 14, 2024 and \$186.00 for the cost of filing the application.
2. The Tenants shall pay the amount listed in paragraph 1 as follows:
 - a) \$2,000.00 by October 15, 2024;
 - b) \$2,000.00 by November 1, 2024;
 - c) \$2,000.00 by December 1, 2024;
 - d) \$2,000.00 by January 1, 2025;
 - e) \$2,000.00 by February 1, 2025;
 - f) \$2,000.00 by March 1, 2025; and
 - g) \$2,086.00 by April 1, 2025.
3. The Tenants shall also pay to the Landlords new rent on time and in full as it comes due and owing for the period starting October 15, 2024 to April 15, 2025, or until rent arrears are paid in full, whichever comes first.
4. If the Tenants fail to comply with the conditions set out in paragraphs 2 or 3 of this order, the outstanding balance of any arrears of rent and costs to be paid by the Tenants to the Landlords pursuant to paragraph 1 of this order shall become immediately due and owing and the Landlords may apply under section 78 of the *Residential Tenancies Act, 2006* (the 'Act') for an order terminating the tenancy and evicting the Tenants and requiring that the Tenants pay any new arrears, NSF fees and related charges that became owing after September 14, 2024. The Landlords must make the application within 30 days of a breach of a condition. This application is made to the Board without notice to the Tenants.

October 4, 2024

Date Issued

Vishal Nanda

Vishal Nanda

Member, Landlord and Tenant Board

15 Grosvenor Street, Ground 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.