

CITATION: Kamalifar v. Paterno, 2024 ONSC 6672
DIVISIONAL COURT FILE NO.: 464/24
DATE: 20241129

**SUPERIOR COURT OF JUSTICE – ONTARIO
DIVISIONAL COURT**

RE: AISAN KAMALIFAR and DAVAN DAWKINS, Appellants/Respondents on Motion

AND:

LISA PATERNO, Respondent on Appeal /Moving Party

BEFORE: Davies J.

COUNSEL: *Aisan Kamalifar and Davan Dawkins*, self-represented

Taheratul Haque and Nitish Bali, for the Respondent/Moving Party

HEARD: In chambers, in writing

ENDORSEMENT

[1] On June 20, 2024, the Landlord and Tenant Board terminated Ms. Kamalifar and Mr. Dawkins’s tenancy and ordered them to vacate their rental premises, which is owned by Ms. Paterno. The Board found that Ms. Kamalifar and Mr. Dawkins owed \$15,000 in rental arrears as of June 30, 2024. The Board also found that their monthly rent was \$2,500. The Board ordered that Ms. Kamalifar and Mr. Dawkins could void the eviction order by paying Ms. Paterno \$15,286 by July 1, 2024.

[2] Ms. Kamalifar and Mr. Dawkins did not pay the amount ordered by the Board. Nor did they vacate their unit. Rather, they requested a review of the Board’s decision. That review was denied on August 15, 2024.

[3] Ms. Kamalifar and Mr. Dawkins have appealed the Board’s decisions to this Court. They obtained a certificate of stay of the eviction order pending the hearing of their appeal.

[4] According to Ms. Paterno, Ms. Kamalifar and Mr. Dawkins have continued to not pay rent since the Board dismissed their request for a review.

[5] Following a case conference on September 27, 2024, I directed Ms. Kamalifar and Mr. Dawkins to pay their monthly rent of \$2,500 on October 1, 2024 and on the first of each month until their appeal is decided. I also directed Ms. Kamalifar and Mr. Dawkins to perfect their appeal no later than November 22, 2024. In my directions, I wrote the following:

If the tenants fail to perfect the appeal on November 22, 2024, the landlord may request an Order dismissing the appeal as abandoned. That request can be made by email to the Court. Any such request should be directed to me, if I am available.

[6] On October 17, 2024, I lifted the stay of the eviction order because Ms. Kamalifar and Mr. Dawkins did not pay their October rent.

[7] Ms. Kamalifar and Mr. Dawkins have not perfected their appeal. Their appeal is, therefore, dismissed.

Davies J.

Date: November 29, 2024