

Management v Zeeman, 2020 CanLII 120001 (ON LTB)

Date: 2020-11-13  
File number: EAL-88016-20  
Citation: Management v Zeeman, 2020 CanLII 120001 (ON LTB),  
<<https://canlii.ca/t/jgzf3>>, retrieved on 2024-02-02

Order under Section 69  
**Residential Tenancies Act, 2006**

**File Number:** EAL-88016-20



**Tribunals Ontario**  
Landlord and Tenant Board

**In the matter of:** A5, 249 LAKE AVENUE E  
CARLETON PLACE ON K7C1J4

**Between:** Luksus Management Landlord

**and**

Rebecca Zeeman, Tenants  
Tony Kean

Luksus Management (the 'Landlord') applied for an order to terminate the tenancy and evict Rebecca Zeeman and Tony Kean (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was heard via video conference on November 10, 2020.

The Landlord's representative, Victor Alleslev, attended the hearing. As of 11:30 a.m., the Tenants were not present or represented at the hearing although properly served with notice of this hearing by the Board.

**Determinations:**

1. The Tenants have not paid the total rent the Tenants were required to pay for the period from December 1, 2019 to May 19, 2020. Because of the arrears, the Landlord served a Notice of Termination effective December 31, 2019.

2. The Tenants were in possession of the rental unit on the date the application was filed.
3. The Tenants vacated the rental unit on May 19, 2020. As a result, the request in the application for an eviction order is no longer necessary.
4. The lawful monthly rent was \$1,250.00.
5. The Tenants have made no payments since the application was filed.
6. The arrears of rent and daily compensation owing for the period ending May 19, 2020 total \$7,030.82.
7. The Landlord incurred costs of \$175.00 for filing the application and is entitled to reimbursement of those costs.
8. The Landlord collected a rent deposit of \$1,250.00 from the Tenants and this deposit shall be applied to the rent due for the last month of the tenancy pursuant to s. 106(10) of the *Residential Tenancies Act, 2006* (the 'Act').
9. Interest on the rent deposit is owing to the Tenants for the period from November 1, 2019 to December 31, 2019 totalling \$3.76. This amount shall also be offset against the rent arrears owing.

**It is ordered that:**

1. The tenancy between the Landlord and the Tenants terminated as of May 19, 2020, the date the Tenants gave vacant possession of the rental unit to the Landlord.
2. The Tenants shall pay to the Landlord \$5,777.06\*, which represents the amount of rent owing and compensation up to May 19, 2020, less the rent deposit and interest the Landlord owes on the rent deposit.
3. The Tenants shall also pay to the Landlord \$175.00 for the cost of filing the application.
4. If the Tenants do not pay the Landlord the full amount owing on or before November 24, 2020, the Tenants will start to owe interest. This will be simple interest calculated from November 25, 2020 at 2.00% annually on the balance outstanding.

**November 13, 2020**

**Date Issued**

Board

\_\_\_\_\_  
Michael Di Salle

Member, Landlord and Tenant

Eastern-RO  
255 Albert Street, 4th Floor  
Ottawa ON K1P6A9

If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.

**Schedule 1  
SUMMARY OF CALCULATIONS**

**File Number: EAL-88016-20**

**A. Amount the Tenants must pay as the tenancy is terminated:**

<b>Reasons for amount owing</b>	<b>Period</b>	<b>Amount</b>
Arrears: (up to the termination date in the Notice of Termination)	December 1, 2019 to December 31, 2019	\$1,250.00
Plus compensation: (from the day after the termination date in the Notice to the date of the order)	January 1, 2020 to May 19, 2020	\$5,780.82
Less the rent deposit:	-\$1,250.00	
Less the interest owing on the rent deposit:	November 1, 2019 to December 31, 2019	-\$3.76
Amount owing to the Landlord on the order date:(total of previous boxes)		<b>\$5,777.06</b>
Additional costs the Tenants must pay to the Landlord:	\$175.00	
<b>Total the Tenants must pay the Landlord as the tenancy is terminated:</b>		<b>\$5,952.06</b>