



I hereby certify this is a true copy of an Order dated  
**JAN 31, 2024**  
Landlord and Tenant Board

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

**Citation:** Bowers v Bradshaw, 2024 ONLTB 7765

**Date:** 2024-01-31

**File Number:** LTB-L-039676-23

**In the matter of:** Unit #3, 8 JOSEPH ST  
BRAMPTON ON L6X1H6

**Between:** Yvonne Bowers and Randy Bowers Landlords

**And**

Frances Bradshaw Tenant

Yvonne Bowers and Randy Bowers (the 'Landlords') applied for an order to terminate the tenancy and evict Frances Bradshaw (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on October 12, 2023.

Only the Landlord, Yvonne Bowers ('YB'), attended the hearing.

As of 9:38 a.m., the Tenant was not present or represented at the hearing although properly served with notice of this hearing by the LTB. There was no record of a request to adjourn the hearing. As a result, the hearing proceeded with only the Landlords' evidence.

**Determinations:**

1. The Landlords served the Tenant with a valid Notice to End Tenancy Early for Non-payment of Rent (N4 Notice). The Tenant 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. The Tenant was in possession of the rental unit on the date the application was filed.
3. The Tenant vacated the rental unit on August 15, 2023. Rent arrears are calculated up to the date the Tenant vacated the unit.
4. The lawful rent is \$1,272.14. It was due on the 1st day of each month.
5. The Tenant has not made any payments since the application was filed.
6. The rent arrears owing to August 15, 2023 are \$5,715.86. YB said hat she personally witnessed the Tenant vacating the rental unit, and the parties had also signed an N11 agreement to terminate a tenancy as of that date.
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 \$1,200.00 from the Tenant and this deposit is still being held by the Landlords. The rent deposit is applied to the arrears of rent because the tenancy terminated.
9. Interest on the rent deposit, in the amount of \$86.32 is owing to the Tenant for the period from October 29, 2018 to August 15, 2023.

**It is ordered that:**

1. The tenancy between the Landlords and the Tenant is terminated as of August 15, 2023, the date the Tenant moved out of the rental unit.
2. The Tenant shall pay to the Landlords \$4,615.54. This amount includes rent arrears owing up to the date the Tenant moved out of the rental unit and the cost of filing the application. The rent deposit and interest the Landlords owes on the rent deposit is deducted from the amount owing by the Tenant. See Schedule 1 for the calculation of the amount owing.
3. If the Tenant does not pay the Landlords the full amount owing on or before February 11, 2024, the Tenant will start to owe interest. This will be simple interest calculated from February 12, 2024 at 7.00% annually on the balance outstanding.

**January 31, 2024**  
**Date Issued**

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Mark Melchers  
Member, Landlord and Tenant Board

15 Grosvenor St, 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.

**Schedule 1  
SUMMARY OF CALCULATIONS**

**A. Amount the Tenant must pay as the tenancy is terminated**

Rent Owing To Move Out Date	\$5,715.86
Application Filing Fee	\$186.00
NSF Charges	\$0.00
<b>Less</b> the amount the Tenant paid to the Landlords since the application was filed	- \$0.00
<b>Less</b> the amount the Tenant paid into the LTB since the application was filed	- \$0.00
<b>Less</b> the amount of the last month's rent deposit	- \$1,200.00
<b>Less</b> the amount of the interest on the last month's rent deposit	- \$86.32
<b>Less</b> the amount the Landlords owes the Tenant for an {abatement/rebate}	- \$0.00
<b>Less</b> the amount of the credit that the Tenant is entitled to	- \$0.00
<b>Total amount owing to the Landlords</b>	<b>\$4,615.54</b>