



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

File Number: LTB-L-000301-21

In the matter of: 1008, 1547 MISSISSAUGA VALLEY BLVD
MISSISSAUGA ON L5A3X8

Between: Morguard NAR Canada Limited Partnership Landlord

And

Farashtah Asfia
Rameen Danish

Tenants

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

Jun 27, 2022

Landlord and Tenant Board

Morguard NAR Canada Limited Partnership (the 'Landlord') applied for an order to terminate the tenancy and evict Farashtah Asfia, Rameen Danish (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on June 22, 2022. The Landlord's Agents, R. Bratcoveanu and L. Corrado, and the Landlord's Legal Representative, M. Zarnett, attended the hearing. As of 3:06 p.m., the Tenant was not present or represented at the hearing.

Preliminary Issue:

The Tenant was originally present at the hearing but got disconnected at about 1:30 p.m., according to Duty Counsel who was speaking with him at the time. Although his phone rang when Duty Counsel called him, there was no answer. The Landlord's Legal Representative, and Duty Counsel subsequently left voicemails asking him to return to the hearing. After waiting over 30 minutes for the Tenant to rejoin the hearing, I proceeded without him at 3:06 p.m.

Determinations:


1. The Landlord 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. The Tenants were in possession of the rental unit on the date the application was filed.
3. The Tenants vacated the rental unit on June 16, 2022.
4. The lawful rent is \$1,735.58, as of April 1, 2022.
5. The Tenants have not made any payments since the application was filed.
6. The rent arrears owing to June 30, 2022 are \$24,314.12, inclusive of \$186.00 costs of filing the application.

7. The Landlord collected a rent deposit of \$1,715.00 from the Tenant and this deposit is still being held by the Landlord. The rent deposit is applied to the arrears of rent because the tenancy terminated.
8. Interest on the rent deposit, in the amount of \$9.42 is owing to the Tenant.

It is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated as of June 16, 2022, the date the Tenant moved out of the rental unit
2. The Tenant shall pay to the Landlord \$21,767.08. 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 Landlord 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 Landlord the full amount owing on or before July 27, 2022, the Tenant will start to owe interest. This will be simple interest calculated from July 28, 2022 at 2.00% annually on the balance outstanding.

June 27, 2022
Date Issued



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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	\$23,305.50
Application Filing Fee	\$186.00
Less the amount of the last month's rent deposit	- \$1,715.00
Less the amount of the interest on the last month's rent deposit	- \$9.42
Total amount owing to the Landlord	\$21,767.08