

Order under Section 69  
Residential Tenancies Act, 2006

File Number: CEL-89351-19

**In the matter of:** 21, 90 EASTWOOD PARK GARDENS  
TORONTO ON M8W0B2

**Between:** Michael Russo  
Nancy Ciccone

Landlords

and

Jennifer Heron

Tenant

I hereby certify this is a true copy of the Order  
(Name of Document)  
(Signature of Staff Member)

DEC 12 2019

Landlord and Tenant Board

Michael Russo and Nancy Ciccone (the 'Landlords') applied for an order to terminate the tenancy and evict Jennifer Heron (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes (L1 Application).

The Landlords also applied for an order to terminate the tenancy and evict the Tenant because the Tenant has been persistently late in paying the Tenant's rent. The Landlords also claimed compensation for each day the Tenant remained in the unit after the termination date (L2 application).

This combined application was heard in Toronto on November 28, 2019.

Only the Landlords attended the hearing.

**Determinations:**

L1 Application – Non-Payment of Rent

1. The Tenant did not pay the total rent the Tenant was required to pay for the period from August 1, 2019 to September 30, 2019. Because of the arrears, the Landlords served a Notice of Termination effective September 20, 2019.
2. The Landlords collected a rent deposit of \$1,800.00 from the Tenant and this deposit is still being held by the Landlords.
3. Interest on the rent deposit is owing to the Tenant for the period from October 1, 2017 to September 20, 2019.
4. The Tenant vacated the rental unit on November 28, 2019.

L2 Application – Persistent Late Payment of Rent

5. As the Tenant vacated the rental unit, this application is moot and will be dismissed.

**It is ordered that:**

1. The L2 Application is dismissed.
2. The tenancy between the Landlords and the Tenant is terminated, as of November 28, 2019.
3. The Tenant shall pay to the Landlords \$3,480.55\*, which represents the amount of rent owing up to November 28, 2019, less the rent deposit and interest the Landlords owe on the rent deposit.
4. The Tenant shall also pay to the Landlords \$190.00 for the cost of filing the application.
5. If the Tenant does not pay the Landlords the full amount owing\* on or before December 13, 2019, the Tenant will start to owe interest. This will be simple interest calculated from December 14, 2019 at 3.00% annually on the balance outstanding.

**December 2, 2019**  
**Date Issued**

Toronto South-RO  
15 Grosvenor Street, 1st Floor  
Toronto ON M7A 2G6

  
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Renee Lang  
Member, Landlord and Tenant Board

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

\* Refer to section A on the attached Summary of Calculations.

**Schedule 1  
SUMMARY OF CALCULATIONS**

**File Number: CEL-89351-19**

**A. Amount the Tenant must pay the Landlord:**

<b>Reasons for amount owing</b>	<b>Period</b>	<b>Amount</b>
Arrears:	August 1, 2019 to November 28, 2019	\$5,344.48
Less the rent deposit:		-\$1,800.00
Less the interest owing on the rent deposit:	October 1, 2017 to September 20, 2019	-\$63.93
<b>Amount owing to the Landlords on the order date:(total of previous boxes)</b>		<b>\$3,480.55</b>
Additional costs the Tenant must pay to the Landlords:		\$190.00
<b>Total the Tenant must pay the Landlords:</b>		<b>\$3,670.55</b>

