



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

Citation: Osman v Russell, 2022 ONLTB 10870

Date: 2022-11-01

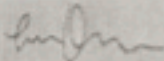
File Number: LTB-L-019273-22

**In the matter of:** Basement Unit, 50 Bernadino  
BRAMPTON ON L6P4G1

**Between:** Majid Osman  
Zina Osman

**and**

Dave Russell

I hereby certify this is a  
true copy of an Order dated  
**NOV 1 2022**  
  
Landlord and Tenant Board

Landlord

Tenant

Majid Osman and Zina Osman (the 'Landlord') applied for an order to terminate the tenancy and evict Dave Russell (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on October 24, 2022.

The Landlords attended the hearing and were self-represented.

As of 9:55 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 Landlord's 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. As of the hearing date, the Tenant was still in possession of the rental unit.
3. The lawful rent is \$850.00. It is due on the 1st day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$27.95. This amount is calculated as follows: \$850.00 x 12, divided by 365 days.
5. The Tenant has paid \$2,850.00 to the Landlords since the application was filed.
6. The rent arrears owing to October 31, 2022 are \$6,200.00.
7. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
8. There is no last month's rent deposit.