



Order under Section 69
Residential Tenancies Act, 2006

File Number: NOL-44509-21

In the matter of: 125 PARKLAND CRESCENT
SAULT STE MARIE ON P6A6M4

Between: Shaochun (Simon) Xu Landlord

and

Brooke Jamie Wesley Tenants
Dave Gingras

Shaochun (Simon) Xu (the 'Landlord') applied for an order to terminate the tenancy and evict Brooke Jamie Wesley and Dave Gingras (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was heard by videoconference on February 3, 2022. Only the Landlord attended the hearing. As of 3:48 p.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 October 1, 2021 to February 28, 2022. Because of the arrears, the Landlord served a Notice of Termination effective October 18, 2021.
2. The Tenants vacated the rental unit on December 15, 2021. The Tenants were in possession of the rental unit on the date the application was filed.
3. The lawful monthly rent was \$1,250.00.
4. The Tenants have made no payments since the application was filed.
5. The Landlord collected a rent deposit of \$1,250.00 from the Tenants and this deposit is still being held by the Landlord.
6. Interest on the rent deposit is owing to the Tenants for the period from December 13, 2019 to October 18, 2021.

It is ordered that:

1. The tenancy is terminated as of December 15, 2021, the date the Tenants returned vacant possession of the rental unit to the Landlord.

2. The Tenants shall pay to the Landlord \$1,490.92*, which represents the amount of rent owing and compensation up to December 15, 2021, less the rent deposit and interest the Landlord owes on the rent deposit.
3. The Tenants shall also pay to the Landlord \$186.00 for the cost of filing the application.
4. If the Tenants do not pay the Landlord the full amount owing* on or before February 22, 2022, the Tenants will start to owe interest. This will be simple interest calculated from February 23, 2022 at 2.00% annually on the balance outstanding.

February 11, 2022
Date Issued

Greg Brocanier
Member, Landlord and Tenant Board

Northern-RO
199 Larch Street, Provincial Building, Suite 301
Sudbury ON P3E5P9

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**

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

Reasons for amount owing	Period	Amount
Arrears: (up to the termination date in the Notice of Termination)	October 1, 2021 to October 18, 2021	\$385.73
Plus compensation: (from the day after the termination date in the Notice to the date of the order)	October 19, 2021 to December 15, 2021	\$2,383.80
Less the rent deposit:		-\$1,250.00
Less the interest owing on the rent deposit:	December 13, 2019 to October 18, 2021	-\$28.61
Amount owing to the Landlord on the order date:(total of previous boxes)		\$1,490.92
Additional costs the Tenants must pay to the Landlord:		\$186.00
Total the Tenants must pay the Landlord as the tenancy is terminated:		\$1,676.92

2022 CanLII 106770 (ON LTB)