



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

Citation: Kumar v Moligian, 2023 ONLTB 59493

Date: 2023-09-01

File Number: LTB-L-005329-22

In the matter of: 71 ENMOUNT DR
Brampton ON L6T4C9

Between: Sushant Kumar

And

Mellissa Moligian and Joshua Vernon

I hereby certify this is a
true copy of an Order dated
SEP 01 2023
Landlord and Tenant Board

Landlord

Tenants

Sushant Kumar (the 'Landlord') applied for an order to terminate the tenancy and evict Mellissa Moligian and Joshua Vernon (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was heard by videoconference on August 21, 2023. The Landlord and the first named Tenant attended the hearing.

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 July 30, 2022. Rent arrears are calculated up to the date the Tenant vacated the unit.
4. The lawful rent is \$2,350.00. It was due on the 1st day of each month.
5. The Tenants paid \$11,500.00 to the Landlord since the application was filed.
6. The rent arrears owing to July 30, 2022 are \$11,272.74.
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.

It is ordered that:

1. The tenancy between the Landlord and the Tenants is terminated as of July 30, 2022, the date the Tenants moved out of the rental unit

2. The Tenants shall pay to the Landlord \$11,458.74. This amount includes rent arrears owing up to the date the Tenants moved out of the rental unit and the cost of filing the application. See Schedule 1 for the calculation of the amount owing.
3. If the Tenants do not pay the Landlord the full amount owing on or before September 12, 2023, the Tenants will start to owe interest. This will be simple interest calculated from September 13, 2023 at 6.00% annually on the balance outstanding

September 1, 2023
Date Issued



Donna Adams
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 Tenants must pay as the tenancy is terminated

Rent Owing To Move Out Date	\$22,772.74
Application Filing Fee	\$186.00
Less the amount the Tenants paid to the Landlord since the application was filed	- \$11,500.00
Total amount owing to the Landlord	\$11,458.74