



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

Citation: W & D Global Inc v Rosado, 2024 ONLTB 26801

Date: 2024-04-16

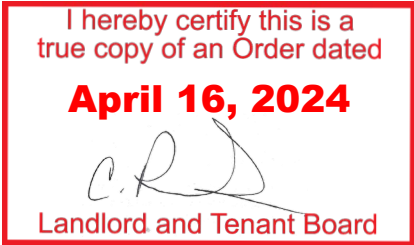
File Number: LTB-L-088603-23

In the matter of: 201, 414 DUNDAS ST E
TORONTO ON M5A2A8

Between: W & D Global Inc

And

Luis Conde Rosado
Maria Teresa Gonzalez Chale



Landlord

Tenants

W & D Global Inc (the 'Landlord') applied for an order to terminate the tenancy and evict Luis Conde Rosado and Maria Teresa Gonzalez Chale (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was heard by videoconference on April 3, 2024.

The Landlord's Agent, Edmund Clarke and the Tenant, Luis Conde Rosado on behalf of both Tenants attended the hearing.

Determinations:

1. The Landlord 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. The Tenant was in possession of the rental unit on the date the application was filed.
3. The Tenant vacated the rental unit on January 1, 2024. The Landlord's Agent requested that arrears be calculated to December 31, 2023, and waived the additional day owing to the Landlord.
4. The lawful rent is \$2,250.00. It was due on the 1st day of each month.
5. The Tenant has not made any payments since the application was filed.
6. The rent arrears owing to December 31, 2023 are \$13,500.00.
7. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
8. The Landlord collected a rent deposit of \$2,250.00 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.

9. Interest on the rent deposit, in the amount of \$32.98 is owing to the Tenant for the period from June 1, 2023 to December 31, 2023.

It is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated as of January 1, 2021, the date the Tenant moved out of the rental unit.
2. The Tenant shall pay to the Landlord \$11,403.02. This amount includes rent arrears owing up to December 31, 2023 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 April 27, 2024, the Tenant will start to owe interest. This will be simple interest calculated from April 28, 2024 at 7.00% annually on the balance outstanding.

April 16, 2024
Date Issued



Christina Philp
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 December 31, 2023	\$13,500.00
Application Filing Fee	\$186.00
NSF Charges	\$0.00
Less the amount the Tenant paid to the Landlord since the application was filed	- \$0.00
Less the amount the Tenant paid into the LTB since the application was filed	- \$0.00
Less the amount of the last month's rent deposit	- \$2,250.00
Less the amount of the interest on the last month's rent deposit	- \$32.98
Less the amount the Landlord owes the Tenant for an {abatement/rebate}	- \$0.00
Less the amount of the credit that the Tenant is entitled to	- \$0.00
Total amount owing to the Landlord	\$11,403.02