

Moore v Bolger, 2021 CanLII 74107 (ON LTB)

Date: 2021-02-10
File number: EAL-88772-20
Citation: Moore v Bolger, 2021 CanLII 74107 (ON LTB), <<https://canlii.ca/t/jhjz3>>, retrieved on 2022-06-08



Tribunals Ontario
Landlord and Tenant Board

Order under Section 69
Residential Tenancies Act, 2006

File Number: EAL-88772-20

In the matter of: 208 RIDEAU
STREET
KINGSTON ON
K7K3A4

Between: Sarah Moore Landlord

and

Tamara Bolger Tenant

Sarah Moore (the 'Landlord') applied for an order to terminate the tenancy and evict Tamara Bolger (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on November 13, 2020. The Landlord's Legal Representative, Ian MacInnis attended the hearing. As of 9:45 a.m., the Tenant was not present or represented at the hearing although properly served with notice of this hearing by the Board.

Determinations:

1. The Tenant has not paid the total rent the Tenant was required to pay for the period from September 1, 2019 to November 30, 2020. Because of the arrears, the Landlord served a Notice of Termination effective January 4, 2020.
2. The Tenant vacated the rental unit on October 31, 2020. The Tenant was in possession of the rental unit on the date the application was filed.
3. The lawful monthly rent was \$1,992.90.
4. The Landlord collected a rent deposit of \$1,950.00 from the Tenant and this deposit is still being held by the Landlord.

5. Interest on the rent deposit is owing to the Tenant for the period from November 23, 2018 to January 4, 2020.
6. The Tenant paid \$5,381.00 after the application was filed.

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It is ordered that:

1. The tenancy is terminated as of October 31, 2020, the date the Tenant gave vacant possession of the rental unit to the Landlord.
2. The Tenant shall pay to the Landlord \$17,082.44*, which represents the amount of rent owing and compensation up to October 31, 2020, less the rent deposit and interest the Landlord owes on the rent deposit.
3. The Tenant shall also pay to the Landlord \$190.00 for the cost of filing the application.
4. If the Tenant does not pay the Landlord the full amount owing* on or before February 21, 2021, the Tenant will start to owe interest. This will be simple interest calculated from February 22, 2021 at 2.00% annually on the balance outstanding.

February 10, 2021



Date Issued

Shannon Kiekens
Member, Landlord and Tenant Board

Eastern-RO
255 Albert Street, 4th Floor Ottawa ON
K1P6A9

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 Tenant must pay if the tenancy is terminated:

Reasons for amount owing	Period	Amount
Arrears: (up to the termination date in the Notice of Termination)	September 1, 2019 to January 4, 2020	\$4,732.08

Less the amount the Tenant paid to the Landlord		-\$5,381.00
Plus compensation: (from the day after the termination date in the Notice to the date of the order)	January 5, 2020 to October 31, 2020	\$19,721.52
Less the rent deposit:		-\$1,950.00

Less the interest owing on the rent deposit:	November 23, 2018 to January 4, 2020	-\$40.16
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Amount owing to the Landlord on the order date:(total of previous boxes)	\$17,082.44
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Additional costs the Tenant must pay to the Landlord:	\$190.00
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Total the Tenant must pay the Landlord as the tenancy is terminated:	\$17,272.44
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