



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

**File Number:** TEL-17935-21

**In the matter of:** 1, 43 ELIGIN STREET  
BELLEVILLE ON K8P4B1

**Between:** Amit Sharda Landlord

**and**

Gary Smith Tenant

Amit Sharda (the 'Landlord') applied for an order to terminate the tenancy and evict Gary Smith (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on September 22, 2021 at 9:00 a.m.

Only the Landlord's Agent, Cheryl Plummer, attended the hearing. As of 10:08 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 May 1, 2021 to September 30, 2021. Because of the arrears, the Landlord served a Notice of Termination effective June 17, 2021.
2. The Tenant vacated the rental unit on September 20, 2021.
3. The Tenant was in possession of the rental unit on the date the application was filed.
4. The lawful monthly rent was \$817.60.
5. The Tenant has made no payments since the application was filed.
6. The Landlord collected a rent deposit of \$700.00 from the Tenant and this deposit is still being held by the Landlord.
7. Interest on the rent deposit is owing to the Tenant for the period from February 1, 2019 to June 17, 2021.

**It is ordered that:**

1. The tenancy is terminated as of September 20, 2021, the date the Tenant gave vacant possession of the rental unit to the Landlord.
2. The Tenant shall pay to the Landlord \$2,362.20\*, which represents the amount of rent owing and compensation up to September 20, 2021, less the rent deposit and interest the Landlord owes on the rent deposit.
3. The Tenant shall also pay to the Landlord \$186.00 for the cost of filing the application.
4. If the Tenant does not pay the Landlord the full amount owing\* on or before November 21, 2021, the Tenant will start to owe interest. This will be simple interest calculated from November 22, 2021 at 2.00% annually on the balance outstanding.

**November 10, 2021**  
**Date Issued**



Peter Pavlovic  
Member, Landlord and Tenant Board

Toronto East-RO  
2275 Midland Avenue, Unit 2  
Toronto ON M1P3E7

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**

**File Number: TEL-17935-21**

**A. Amount the Tenant must pay to the Landlord:**

<b>Reasons for amount owing</b>	<b>Period</b>	<b>Amount</b>
Arrears: (up to the termination date in the Notice of Termination)	May 1, 2021 to June 17, 2021	\$524.96
Plus compensation: (from the day after the termination date in the Notice to the date the unit was vacated)	June 18, 2021 to September 20, 2021	\$2,553.60
Less the rent deposit:		-\$700.00
Less the interest owing on the rent deposit:	February 1, 2019 to June 17, 2021	-\$16.36
Amount owing to the Landlord on the order date:(total of previous boxes)		<b>\$2,362.20</b>
Additional costs the Tenant must pay to the Landlord:		\$186.00

<b>Total the Tenant must pay the Landlord:</b>	<b>\$2,548.20</b>
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