



Order under Section 69
Residential Tenancies Act, 2006

File Number: HOL-10419-21

In the matter of: 3 CANOE LANE
HAMILTON ON L8K0A3

Between: Ajay Kumar Jain

Landlord

and

Clarissa Alves Lima

Tenant

Ajay Kumar Jain (the 'Landlord') applied for an order to terminate the tenancy and evict Clarissa Alves Lima (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on August 13, 2021. The Landlord and the Landlord's Legal Representative, Apeksha Jain, attended the hearing. As of 10:30 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 April 1, 2021 to August 31, 2021. Because of the arrears, the Landlord served a Notice of Termination effective April 30, 2021.
2. The Tenant is in possession of the rental unit.
3. The lawful monthly rent is \$2,550.00.
4. The Landlord collected a rent deposit of \$2,550.00 from the Tenant and this deposit is still being held by the Landlord.
5. The Tenant has made no payments since the application was filed.
6. The Landlord's Legal Representative stated that the Tenant is scheduled to be evicted pursuant to Board order HOL-01420-21, and asked for an order for the arrears of rent. As a result, the order will be limited to rent arrears and costs only, not eviction.
7. The total amount owing to August 13, 2021, inclusive of rent arrears (\$11,353.20) and costs (\$186.00), is \$11,539.20.

It is ordered that:

- 1. The Tenant shall pay to the Landlord \$11,353.20*, which represents the amount of rent owing and compensation up to August 13, 2021.
- 2. The Tenant shall also pay to the Landlord \$186.00 for the cost of filing the application.
- 3. If the Tenant does not pay the Landlord the full amount owing* on or before October 12, 2021, the Tenant will start to owe interest. This will be simple interest calculated from October 13, 2021 at 2.00% annually on the balance outstanding.

October 1, 2021
Date Issued



Kathleen Wells
Member, Landlord and Tenant Board

2021 CanLII 132192 (ON LTB)

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 to the Landlord:

Reasons for amount owing	Period	Amount
Arrears: (up to the termination date in the Notice of Termination)	April 1, 2021 to April 30, 2021	\$2,550.00
Plus compensation: (from the day after the termination date in the Notice to the date of the order)	May 1, 2021 to August 13, 2021	\$8,803.20
Additional costs the Tenant must pay to the Landlord:		\$186.00
Total the Tenant must pay to the Landlord		\$11,539.20

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