



Order under Section 69
Residential Tenancies Act, 2006

File Number: TEL-16121-21

In the matter of: 503, 50 BURNHILL ROAD
SCARBOROUGH ON M1L4R3

Between: Starlight Canadian Residential Growth Fund Landlord

and

Fatema Khan Tenants
Kabir H. Khan

Starlight Canadian Residential Growth Fund (the 'Landlord') applied for an order to terminate the tenancy and evict Fatema Khan and Kabir H. Khan (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe. The Landlord also claimed administration charges related to NSF cheques.

This application was heard by video conference on July 28, 2021 beginning at 1:00 p.m.

The Landlord's Legal Representative, Matt Anderson, attended the hearing. As of 1:58 p.m., the Tenants were not present or represented at the hearing although properly served with notice of this hearing by the Board.

Determinations:

1. The Tenants have not paid the total rent the Tenants were required to pay for the period from February 1, 2021 to July 31, 2021. Because of the arrears, the Landlord served a Notice of Termination effective March 28, 2021.
2. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
3. The Landlord incurred charges of \$20.00 for administration charges related to cheques tendered by or on behalf of the Tenants, which were returned NSF.
4. The Landlord collected a rent deposit of \$1,242.86 from the Tenants and this deposit is still being held by the Landlord.
5. Interest on the rent deposit is owing to the Tenants for the period from January 1, 2021 to March 28, 2021.

6. The Tenants paid \$6,277.85 after the application was filed which paid up the rent arrears owing. However, the filing costs and NSF charges remained unpaid.
7. The amount outstanding to July 31, 2021, inclusive of rent arrears, and costs, is **\$206.00**.
8. This order contains all of the reasons in this matter and no further reasons will be issued.

It is ordered that:

1. The Tenants shall pay to the Landlord **\$20.00**, which represents the charges related to NSF cheques tendered to the Landlord by or on behalf of the Tenants.
2. The Tenants shall also pay to the Landlord **\$186.00** for the cost of filing the application.
3. If the Tenants do not pay the Landlord the full amount owing on or before September 30, 2021, the Tenants will start to owe interest. This will be simple interest calculated from October 1, 2021 at 2.00% annually on the balance outstanding.

August 4, 2021
Date Issued

Michael Di Salle
Michael Di Salle
Member, Landlord and Tenant Board

Toronto East-RO
2275 Midland Avenue, Unit 2
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If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.