



Order under Section 69
Residential Tenancies Act, 2006

File Number: SOL-21042-21

In the matter of: 1, 4917 VICTORIA AVENUE S
NIAGARA FALLS ON L2E4C7

Between: Nanda Mallick Landlord

and

Assadick Hamad Tenant

Nanda Mallick (the 'Landlord') applied for an order to terminate the tenancy and evict Assadick Hamad (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on September 7, 2021. Only the Landlord attended the hearing. As of 10:23 a.m., the Tenant was not present or represented at the hearing although properly served with notice of this hearing by the Board.

It should be noted that the Tenant attended at 11:12 a.m., they had problems signing in. The Tenant was advised that the matter had already gone forward, and the Landlord was no longer in the hearing room.

Determinations:

1. The Tenant has not paid the total rent the Tenant was required to pay for the period from November 1, 2019 to July 31, 2021. Because of the arrears, the Landlord served a Notice of Termination effective March 23, 2021.
2. The Tenant vacated the rental unit on July 31, 2021. The Tenant was in possession of the rental unit on the date the application was filed.
3. The lawful monthly rent was \$1,025.00.
4. The Landlord is not holding a last month's rent deposit.
5. The Tenant paid \$1,000.00 after the application was filed.

It is ordered that:

1. The Tenancy is terminated as of July 31, 2021, the date the Tenant gave vacant possession of the rental unit to the Landlord.

2. The Tenant shall pay to the Landlord \$20,525.00*, which represents the amount of rent owing and compensation up to July 31, 2021.
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 October 8, 2021, the Tenant will start to owe interest. This will be simple interest calculated from October 9, 2021 at 2.00% annually on the balance outstanding.

September 28, 2021

Date Issued



Diane Wade

Member, Landlord and Tenant Board

Southern-RO
119 King Street West, 6th Floor
Hamilton ON L8P4Y7

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 as the tenancy is terminated:

Reasons for amount owing	Period	Amount
Arrears: (up to the termination date in the Notice of Termination)	November 1, 2019 to March 23, 2021	\$17,175.07
Less the amount the Tenant paid to the Landlord		-\$1,000.00
Plus compensation: (from the day after the termination date in the Notice to the date of the order)	March 24, 2021 to July 31, 2021	\$4,349.93
Amount owing to the Landlord on the order date: (total of previous boxes)		\$20,525.00
Additional costs the Tenant must pay to the Landlord:		\$186.00
Total the Tenant must pay the Landlord as the tenancy is terminated:		\$20,711.00

2021 CanLII 125893 (ON LTB)