



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

**File Number:** TNL-21550-19

**In the matter of:** 18 PADGET PLACE  
UNIONVILLE ON L3R1Y6

**Between:** Nan Ye Landlord

**and**

Jeffery B. Potofsky, Tenants  
Mannix Investigation(s) Corporation,  
Patricia T. Desonyers

Nan Ye (the 'Landlord') applied for an order to terminate the tenancy and evict Patricia T. Desonyers, Jeffery B. Potofsky and Mannix Investigation(s) Corporation (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was heard by video conference on May 25, 2021. The Landlord's legal representative, Michael Ostroff, and the Landlord's agent, Michael Wong, attended the hearing. As of 9:30 a.m., the Tenants were not present or represented at the hearing although properly served with notice of this hearing by the Board.

**Determinations and Reasons:**

1. The Tenants vacated the rental unit on December 21, 2020. The Tenants were in possession at the time the application was filed.
2. The monthly rent is \$3,000.00.
3. The Tenants have not paid the total rent the Tenants were required to pay for the period from July 1, 2019 to December 21, 2020. Because of the arrears, the Landlord served a Notice of Termination effective October 31, 2019.
4. No payments have been made since the application was filed.
5. The Landlord collected a rent deposit of \$3,000.00 from the Tenants and this deposit is still being held by the Landlord.
6. Interest on the rent deposit is owing to the Tenants for the period from March 1, 2019 to October 31, 2019.

7. As explained at the onset of the hearing, the Board's monetary jurisdiction is \$35,000.00. The Landlord's legal representative confirmed that the Landlord wished to proceed and acknowledged that by doing so, the Landlord cannot pursue the balance in another court as per section 207(3) of the *Residential Tenancies Act, 2006*.

**It is ordered that:**

1. The tenancy between the Landlord and the Tenants terminated on December 21, 2020, the date the Tenants gave vacant possession.
2. The Tenants shall pay to the Landlord \$35,000.00\*, which represents the amount of rent owing and compensation up to December 21, 2020, less the rent deposit and interest the Landlord owes on the rent deposit.
3. If the Tenants do not pay the Landlord the full amount owing\* on or before June 18, 2021, the Tenants will start to owe interest. This will be simple interest calculated from June 19, 2021 at 2.00% annually on the balance outstanding.

**June 7, 2021**  
**Date Issued**

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Dawn Sullivan  
Member, Landlord and Tenant Board

Toronto North-RO  
47 Sheppard Avenue East, Suite 700, 7th Floor  
Toronto ON M2N5X5

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 Tenants must pay as the tenancy is terminated:**

<b>Reasons for amount owing</b>	<b>Period</b>	<b>Amount</b>
Arrears: (up to the termination date in the Notice of Termination)	July 1, 2019 to October 31, 2019	\$9,500.00
Plus compensation: (from the day after the termination date in the Notice to the date Tenants vacated)	November 1, 2019 to December 21, 2020	\$41,128.71
Less the rent deposit:		-\$3,000.00
Less the interest owing on the rent deposit:	March 1, 2019 to October 31, 2019	-\$36.24
Amount owing to the Landlord on the order date: (Board's monetary jurisdiction)		<b>\$35,000.00</b>
<b>Total the Tenants must pay the Landlord as the tenancy is terminated:</b>		<b>\$35,000.00</b>

2021 CanLII 98633 (ON LTB)