



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

**File Number:** TEL-12415-20

**In the matter of:** 1109, 1050 MARKHAM ROAD  
SCARBOROUGH ON M1H2Y7

**Between:** CAPREIT Limited Partnership Landlord

**and**

Suraj Wilson Tenant

CAPREIT Limited Partnership (the 'Landlord') applied for an order to terminate the tenancy and evict Suraj Wilson (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes. The Landlord also claimed NSF cheque charges and related administration charges.

This application was heard by way of a video conference on April 14, 2021. The Landlord's Legal Representative, G. Paine, attended the hearing on behalf of the Landlord. As of 2:03 p.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, 2020 to February 28, 2021. Because of the arrears, the Landlord served a Notice of Termination effective September 4, 2020.
2. The Landlord incurred charges of \$15.00 for three cheques tendered by or on behalf of the Tenant, which were returned NSF and \$60.00 for related administration charges.
3. The Landlord collected a rent deposit of \$1,747.62 from the Tenant and this deposit is still being held by the Landlord. Interest on the rent deposit is owing to the Tenant for the period from February 1, 2020 to September 4, 2020.
4. The Tenant paid a total of \$5,000.00 to the Landlord after the application was filed.
5. The Tenant gave vacant possession of the rental unit to the Landlord on February 28, 2021.

**It is ordered that:**

1. The tenancy between the Landlord and the Tenant is terminated as of February 28, 2021, the date the Tenant gave vacant possession of the rental unit to the Landlord.
2. The Tenant shall pay to the Landlord \$7,441.62\*, which represents the amount of rent owing and compensation up to February 28, 2021 and the total charges related to three NSF cheques tendered to the Landlord by or on behalf of the Tenant, 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 May 23, 2021, the Tenant will start to owe interest. This will be simple interest calculated from May 24, 2021 at 2.00% annually on the balance outstanding.

**May 12, 2021**  
**Date Issued**



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Arnab Quadry  
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-12415-20**

**A. Amount the Tenant 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)	April 1, 2020 to September 4, 2020	\$3,966.67
Less the amount the Tenant paid to the Landlord		-\$5,000.00
Plus compensation: (from the day after the termination date in the Notice to the date the rental unit was vacated)	September 5, 2020 to February 28, 2021	\$10,170.42
Less the rent deposit:		-\$1,747.62
Less the interest owing on the rent deposit:	February 1, 2020 to September 4, 2020	-\$22.85
NSF cheque charges:		\$15.00
Administration charges related to NSF cheque charges:		\$60.00
Amount owing to the Landlord on the order date: (total of previous boxes)		<b>\$7,441.62</b>
Additional costs the Tenant must pay to the Landlord:		\$186.00
<b>Total the Tenant must pay the Landlord as the tenancy is terminated:</b>		<b>\$7,627.62</b>

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