



Order under Section 69
Residential Tenancies Act, 2006

File Number: HOL-10524-21

In the matter of: 3610, 117 MCMAHON DRIVE
TORONTO ON M2K0E4

Between: Yin Man Emily Cheung Landlord

and

Joseph Rizzuto Tenant

Yin Man Emily Cheung (the 'Landlord') applied for an order to terminate the tenancy and evict Joseph Rizzuto (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by video conference on July 12, 2021. The Landlord's Legal Representative, A. Chan attended the hearing. 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 January 1, 2021 to July 31, 2021. Because of the arrears, the Landlord served a Notice of Termination effective March 17, 2021.
2. The lawful monthly rent is \$2,250.00.
3. The Tenant vacated the rental unit on May 31, 2021. The Tenant was in possession of the rental unit on the date the application was filed.
4. The Landlord collected a rent deposit of \$2,250.00 from the Tenant and this deposit is still being held by the Landlord.
5. Interest on the rent deposit is owing to the Tenant for the period from February 12, 2020 to March 17, 2021.
6. The Tenant made no payments after the application was filed.

It is ordered that:

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

2. The Tenant shall pay to the Landlord \$9,052.80*, which represents the amount of rent owing and compensation up to May 31, 2021, 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 August 3, 2021, the Tenant will start to owe interest. This will be simple interest calculated from August 4, 2021 at 2.00% annually on the balance outstanding.

July 23, 2021
Date Issued


Sandra Macchione
Member, Landlord and Tenant Board

Head Office
777 Bay Street, 12th Floor
Toronto Ontario M5G2E5

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)	January 1, 2021 to March 17, 2021	\$5,757.53
Plus compensation: (from the day after the termination date in the Notice to the date the Tenant moved out)	March 18, 2021 to May 31, 2021	\$5,547.75
Less the rent deposit:		-\$2,250.00
Less the interest owing on the rent deposit:	February 12, 2020 to March 17, 2021	-\$2.48
Amount owing to the Landlord on the order date: (total of previous boxes)		\$9,052.80
Additional costs the Tenant must pay to the Landlord:		\$186.00
Total the Tenant must pay the Landlord as the tenancy is terminated:		\$9,238.80

2021 CanLII 103247 (ON LTB)