



Order under Section 69
Residential Tenancies Act, 2006

File Number: TNL-29978-21

In the matter of: 2, 77 GARTHDALE COURT
TORONTO ON M3H5P7

Between: Emil Joseph Landlord

and

Maria Vivero Tenant

Emil Joseph (the 'Landlord') applied for an order to terminate the tenancy and evict Maria Vivero (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on June 28, 2021. The Landlord attended the hearing. As of 2:18 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 December 1, 2020 to February 15, 2021. Because of the arrears, the Landlord served a Notice of Termination effective December 20, 2020.
2. The Tenant was in possession of the rental unit when the application was filed.
3. The Landlord is not holding a rent deposit.
4. The Tenant did not make any payments to the Landlord after the application was filed.
5. The Tenant vacated the rental unit on February 15, 2021.

It is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated as of February 15, 2021, the date the Tenant gave vacant possession of the rental unit to the Landlord.
2. The Tenant shall pay to the Landlord \$6,455.59*, which represents the amount of rent owing and compensation up to February 15, 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 September 10, 2021, the Tenant will start to owe interest. This will be simple interest calculated from September 11, 2021 at 2.00% annually on the balance outstanding.

August 30, 2021
Date Issued



Arnab Quadry
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 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)	December 1, 2020 to December 20, 2020	\$1,676.71
Plus compensation: (from the day after the termination date in the Notice to the date the unit was vacated)	December 21, 2020 to February 15, 2021	\$4,778.88
Amount owing to the Landlord on the order date: (total of previous boxes)		\$6,455.59
Additional costs the Tenant must pay to the Landlord:		\$186.00
Total the Tenant must pay the Landlord as the tenancy is terminated:		\$6,641.59

2021 CanLII 121164 (ON LTB)