



Order under Section 69
Residential Tenancies Act, 2006

File Number: CEL-01859-21

In the matter of: 60 TARA PARK CRESCENT
BRAMPTON ON L6V3E3

Between: Bhavana Jain Landlords
Vishal Jain

and

Jessica Simms Tenants
Ricardo Freitas
Savannah Freitas
Sofia Freitas

Bhavana Jain and Vishal Jain (the 'Landlords') applied for an order to terminate the tenancy and evict Savannah Freitas, Sofia Freitas, Jessica Simms and Ricardo Freitas (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe. The Landlords also claimed administration charges related to NSF cheques.

This application was heard by videoconference on November 8, 2021. Only the Landlord and the Landlord's Legal Representative, Vijay Shah, attended the hearing. As of 2:10 p.m., the Tenants were not present or represented at the hearing although properly served with notice of this hearing by the Board.

Determinations:

1. The Tenants have not paid the total rent the Tenants were required to pay for the period from March 5, 2021 to November 4, 2021. Because of the arrears, the Landlords served a Notice of Termination effective June 8, 2021.
2. The Tenants vacated the rental unit on October 31, 2021. The Tenants were in possession of the rental unit on the date the application was filed.
3. The lawful monthly rent was \$2,500.00.
4. The Landlords incurred charges of \$180.00 for administration charges related to cheques tendered by or on behalf of the Tenants, which were returned NSF.
5. The Tenants have made no payments since the application was filed.

6. The Landlords collected a rent deposit of \$2,500.00 from the Tenants and this deposit is still being held by the Landlords.
7. Interest on the rent deposit is owing to the Tenants for the period from October 31, 2020 to June 8, 2021.

It is ordered that:

1. The Tenants vacated the rental unit on October 31, 2021. The Tenants were in possession of the rental unit on the date the application was filed.
2. The Tenants shall pay to the Landlords **\$16,824.81***, which represents the amount of rent owing and compensation up to October 31, 2021 and the total charges related to NSF cheques tendered to the Landlords by or on behalf of the Tenants, less the rent deposit and interest the Landlords owe on the rent deposit.
3. The Tenants shall also pay to the Landlords **\$201.00** for the cost of filing the application.
4. If the Tenants do not pay the Landlords the full amount owing* on or before November 25, 2021, the Tenants will start to owe interest. This will be simple interest calculated from November 26, 2021 at 2.00% annually on the balance outstanding.

November 15, 2021
Date Issued

Michael Di Salle
Michael Di Salle
Member, Landlord and Tenant Board

Central-RO
3 Robert Speck Pkwy, 5th Floor
Mississauga ON L4Z2G5

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:

Reasons for amount owing	Period	Amount
Arrears: (up to the termination date in the Notice of Termination)	March 5, 2021 to June 8, 2021	\$7,228.77
Plus compensation: (from the day after the termination date in the Notice to the date of the order)	June 9, 2021 to October 31, 2021	\$11,917.55
Less the rent deposit:		-\$2,500.00
Less the interest owing on the rent deposit:	October 31, 2020 to June 8, 2021	-\$1.51
Administration charges related to NSF cheque charges:		\$180.00
Amount owing to the Landlords on the order date:(total of previous boxes)		\$16,824.81
Additional costs the Tenants must pay to the Landlords:		\$201.00
Total the Tenants must pay the Landlords as the tenancy is terminated:		\$17,025.81

2021 CanLII 146599 (ON LTB)