



Order under Section 69
Residential Tenancies Act, 2006
And section 21.1 of the **Statutory Powers Procedure Act**

File Number: CEL-96028-20-AM

In the matter of: 1108, 330 MILL STREET SOUTH
BRAMPTON ON L6Y3V3

Between: Prasenjit Roy Landlord

and

Uddalak Mohan Moitra Tenant

This amended order is issued to correct clerical errors in the original order issued on June 21, 2021.

Prasenjit Roy (the 'Landlord') applied for an order to terminate the tenancy and evict Uddalak Mohan Moitra (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes. **This is the L1 application.**

Prasenjit Roy (the 'Landlord') applied for an order to terminate the tenancy and evict Uddalak Mohan Moitra (the 'Tenant') because the Tenant, another occupant of the rental unit or someone the Tenant permitted in the residential complex has substantially interfered with the reasonable enjoyment or lawful right, privilege or interest of the Landlord or another tenant. The Landlord also claimed compensation for each day the Tenant remained in the unit after the termination date. **This is the L2 application.**

These applications were heard by videoconference on June 10, 2021 at 9:00am.

Only the Landlord attended the hearing when the matter was brought forward at 12:59pm. The Landlord was represented by Jayant Unny.

Determinations:

L2 APPLICATION

1. At the hearing, the Landlord requested the consent of the Board to withdraw their L2 application as the Tenant vacated the rental unit, rendering the request for eviction and the application moot.
2. In accordance with subsection 200(4) of the Act, I consent to the withdrawal of the application.

L1 APPLICATION

3. The Tenant has not paid the total rent the Tenant was required to pay for the period from July 4, 2020 to July 3, 2021. Because of the arrears, the Landlord served a Notice of Termination effective August 26, 2020.
4. The Tenant was in possession of the rental unit.
5. The lawful monthly rent was \$1,900.00 and was due on the fourth day of each month.
6. The Landlord's uncontested evidence was the Tenant vacated the rental unit on January 6, 2021. As such, the request for eviction under this application was no longer necessary.
7. The Landlord collected a rent deposit of \$1,900.00 from the Tenant and this deposit is still being held by the Landlord.
8. Interest on the rent deposit is owing to the Tenant for the period from December 5, 2019 to August 26, 2020.
9. The Tenant made no payments since the application was filed.
10. The arrears and costs owing to January 6, 2021 total \$9,915.65.

It is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated as of January 6, 2021.
2. The Tenant shall pay to the Landlord \$9,714.65*, which represents the amount of rent owing and compensation up to January 6, 2021, less the rent deposit and interest the Landlord owes on the rent deposit.
3. The Tenant shall also pay to the Landlord \$201.00 for the cost of filing the application.
4. The total amount owing under this order is \$9,915.65.
5. If the Tenant does not pay the Landlord the full amount owing* on or before July 2, 2021, the Tenant will start to owe interest. This will be simple interest calculated from July 3, 2021 at 2.00% annually on the balance outstanding.



Sonia Anwar-Ali
Member, Landlord and Tenant Board

June 21, 2021
Date Issued

June 28, 2021
Date Amended

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**

File Number: CEL-96028-20-AM

A. Amount the Tenant must pay if the tenancy is terminated:

Reasons for amount owing	Period	Amount
Arrears: (up to the termination date in the Notice of Termination)	July 4, 2020 to August 26, 2020	\$3,336.71
Plus compensation: (from the day after the termination date in the Notice to the date of the order)	August 27, 2020 to January 6, 2021	\$8308.51
Less the rent deposit:		-\$1,900.00
Less the interest owing on the rent deposit:	December 5, 2019 to August 26, 2020	-\$30.57
Amount owing to the Landlord on the order date: (total of previous boxes)		\$9,714.65
Additional costs the Tenant must pay to the Landlord:		\$201.00
Total the Tenant must pay the Landlord if the tenancy is terminated:		\$9,915.65

2021 CanLII 92823 (ON LTB)