



Order under Section 69
Residential Tenancies Act, 2006

File Number: TNL-32226-21

In the matter of: 1201, 88 ERSKINE AVENUE
TORONTO ON M4P1Y3

Between: Erskine Green Limited Landlord

and

Sibusisiwe Nombuso Dlamini Tenant

Erskine Green Limited (the 'Landlord') applied for an order to terminate the tenancy and evict Sibusisiwe Nombuso Dlamini (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on October 18, 2021. The Landlord's Legal Representative, Jason Paine, and the Tenant, attended the hearing.

Determinations:

1. The Tenant has not paid the total rent the Tenant was required to pay for the period from January 1, 2021 to October 31, 2021. Because of the arrears, the Landlord served a Notice of Termination effective April 19, 2021.
2. The Tenant vacated the rental unit on August 29, 2021. The Tenant was in possession of the rental unit on the date the application was filed.
3. The lawful monthly rent was \$2,753.71.
4. The Landlord collected a rent deposit of \$2,753.71 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 August 1, 2020 to April 19, 2021.
6. The Tenant paid \$3,000.00 after the application was filed.
7. This order contains all of the reasons in this matter and no further reasons will issue.

It is ordered that:

1. The tenancy is terminated as of August 29, 2021, the date the Tenant gave vacant possession of the rental to the Landlord.
2. The Tenant shall pay to the Landlord **\$10,649.31***, which represents the amount of rent owing and compensation up to August 29, 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 November 15, 2021, the Tenant will start to owe interest. This will be simple interest calculated from November 16, 2021 at 2.00% annually on the balance outstanding.

October 21, 2021
Date Issued

Michael Di Salle
Michael Di Salle
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)	January 1, 2021 to April 19, 2021	\$4,273.97
Less the amount the Tenant paid to the Landlord		-\$3,000.00
Plus compensation: (from the day after the termination date in the Notice to the date of the order)	April 20, 2021 to August 29, 2021	\$12,131.02
Less the rent deposit:		-\$2,753.71
Less the interest owing on the rent deposit:	August 1, 2020 to April 19, 2021	-\$1.97
Amount owing to the Landlord on the order date: (total of previous boxes)		\$10,649.31
Additional costs the Tenant must pay to the Landlord:		\$186.00
Total the Tenant must pay the Landlord as the tenancy is terminated:		\$10,835.31

2021 CanLII 142664 (ON LTB)