



Order under Section 69  
**Residential Tenancies Act, 2006**

**File Number:** HOL-11386-21

**In the matter of:** 91, 91 BARRISTER AVENUE NE  
WHITBY ON L1R0N3

**Between:** Seema Shaikh Landlord

**and**

Jon Barnes Tenant

Seema Shaikh (the 'Landlord') applied for an order to terminate the tenancy and evict Jon Barnes (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on November 4, 2021. Only the Landlord attended the hearing. As of 10:50 a.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 April 1, 2021 to November 30, 2021. Because of the arrears, the Landlord served a Notice of Termination effective June 9, 2021.
2. The Tenant vacated the rental unit on August 11, 2021. The Tenant was in possession of the rental unit on the date the application was filed.
3. The lawful monthly rent was \$2,250.00.
4. The Tenant has made no payments since the application was filed.
5. The Landlord collected a rent deposit of \$2,250.00 from the Tenant and this deposit is still being held by the Landlord.
6. Interest on the rent deposit is owing to the Tenant for the period from May 15, 2020 to June 9, 2021.

**It is ordered that:**

1. The tenancy is terminated as of August 11, 2021, the date the Tenant returned vacant possession of the rental unit to the Landlord.

2. The Tenant shall pay to the Landlord \$6,073.44\*, which represents the amount of rent owing and compensation up to August 11, 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 December 28, 2021, the Tenant will start to owe interest. This will be simple interest calculated from December 29, 2021 at 2.00% annually on the balance outstanding.



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Greg Brocanier  
Member, Landlord and Tenant Board

**December 17, 2021**  
**Date Issued**

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**

**File Number: HOL-11386-21**

**A. Amount the Tenant must pay as the tenancy is terminated:**

<b>Reasons for amount owing</b>	<b>Period</b>	<b>Amount</b>
Arrears: (up to the termination date in the Notice of Termination)	April 1, 2021 to June 9, 2021	\$3,665.75
Plus compensation: (from the day after the termination date in the Notice to the date of the order)	June 10, 2021 to August 11, 2021	\$4,660.11
Less the rent deposit:		-\$2,250.00
Less the interest owing on the rent deposit:	May 15, 2020 to June 9, 2021	-\$2.42
<b>Amount owing to the Landlord on the order date:</b> (total of previous boxes)		<b>\$6,073.44</b>
Additional costs the Tenant must pay to the Landlord:		\$186.00
<b>Total the Tenant must pay the Landlord as the tenancy is terminated:</b>		<b>\$6,259.44</b>

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