



Order under Section 69
Residential Tenancies Act, 2006

File Number: TSL-21218-21

In the matter of: 307, 21 LASCELLES BOULEVARD
TORONTO ON M4V2B8

Between: O'shanter Development Company Ltd. Landlord

and

Benjamin Belay Tenant

O'shanter Development Company Ltd. (the 'Landlord') applied for an order to terminate the tenancy and evict Benjamin Belay (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on July 28, 2021. Only the Landlord's legal representative, Eric Ferguson, attended the hearing. As of 3:13 p.m. the Tenant was not present or represented although properly served with the 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 January 1, 2021 to April 20, 2021. Because of the arrears, the Landlord served a Notice of Termination effective February 27, 2021.
2. The Tenant vacated the rental unit on April 20, 2021. The Tenant was in possession of the rental unit when this application was filed.
3. The lawful monthly rent was \$1,433.92.
4. The Landlord collected a rent deposit of \$1,388.71 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 January 1, 2021 to February 27, 2021.

It is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated as of April 20, 2021 the date rental unit was vacated.

2. The Tenant shall pay to the Landlord \$2,606.32*, which represents the amount of rent owing and compensation up to April 20, 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 April 15, 2021, the Tenant will start to owe interest. This will be simple interest calculated from April 16, 2021 at 2.00% annually on the balance outstanding.

August 4, 2021
Date Issued



Vladimir Nikitin
Member, Landlord and Tenant Board

Toronto South-RO
15 Grosvenor Street, 1st Floor
Toronto ON M7A 2G6

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: TSL-21218-21

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 February 27, 2021	\$1,543.97
Plus compensation: (from the day after the termination date in the Notice to the date rental unit vacated)	February 28, 2021 to April 20, 2021	\$2,451.28
Less the rent deposit:		-\$1,388.71
Less the interest owing on the rent deposit:	January 1, 2021 to February 27, 2021	-\$0.22
Amount owing to the Landlord on the order date: (total of previous boxes)		\$2,606.32
Additional costs the Tenant must pay to the Landlord:		\$186.00
Total the Tenant must pay the Landlord as the tenancy is terminated:		\$2,792.32

2021 CanLII 122720 (ON LTB)