



Order under Section 69
Residential Tenancies Act, 2006

File Number: HOL-09025-20

In the matter of: 1327, 629 KING STREET
TORONTO ON M5V1M4

Between: Elfie Rauschenberger Landlord

and

John Buddel Tenant

Elfie Rauschenberger (the 'Landlord') applied for an order to terminate the tenancy and evict John Buddel (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on June 23, 2021. Only the Landlord's Legal Representative, Joyann Oliver, attended the hearing. As of 9:42 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 October 19, 2020 to July 18, 2021. Because of the arrears, the Landlord served a Notice of Termination effective November 10, 2020.
2. The Tenant vacated the rental unit on February 5, 2021. The Tenant was in possession of the rental unit on the date the application was filed.
3. The lawful monthly rent was \$2,700.00.
4. The Tenant has made no payments since the application was filed.
5. The Landlord collected a rent deposit of \$2,700.00 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 September 19, 2020 to November 10, 2020.

It is ordered that:

1. The tenancy is terminated as of February 5, 2021 the date the Tenant gave vacant possession of the rental unit to the Landlord.

2. The Tenant shall pay to the Landlord \$7,055.84*, which represents the amount of rent owing and compensation up to February 5, 2021, less the rent deposit and interest the Landlord owes on the rent deposit.
3. The Tenant shall also pay to the Landlord \$88.77 per day for compensation for the use of the unit starting February 6, 2021 to the date the Tenant moves out of the unit.
4. The Tenant shall also pay to the Landlord \$186.00 for the cost of filing the application.
5. If the Tenant does not pay the Landlord the full amount owing* on or before July 13, 2021, the Tenant will start to owe interest. This will be simple interest calculated from July 14, 2021 at 2.00% annually on the balance outstanding.

July 9, 2021
Date Issued



Diane Wade
Member, Landlord and Tenant Board

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**

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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)	October 19, 2020 to November 10, 2020	\$2,041.64
Plus compensation: (from the day after the termination date in the Notice to the date of the order)	November 11, 2020 to February 5, 2021	\$7,722.99
Less the rent deposit:		-\$2,700.00
Less the interest owing on the rent deposit:	September 19, 2020 to November 10, 2020	-\$8.79
Amount owing to the Landlord on the order date: (total of previous boxes)		\$7,055.84
Additional costs the Tenant must pay to the Landlord:		\$186.00
Total the Tenant must pay the Landlord as the tenancy is terminated:		\$7,241.84

2021 CanLII 103186 (ON LTB)