



Order under Section 69
Residential Tenancies Act, 2006

In the matter of: 24, 154 ERB STREET E
KITCHENER ON N2J1M4

Between: The Effort Trust Company Landlord

and

Lucas Nauta Tenant

The Effort Trust Company (the 'Landlord') applied for an order to terminate the tenancy and evict Lucas Nauta (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes. The Landlord also claimed administration charges related to NSF cheques.

This application was heard by telephone/video-conference on April 29, 2021. The Landlord's Legal Representative, Kimberly Holleran, attended the hearing. As of 2:23pm 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 August 1, 2020 to April 30, 2021. Because of the arrears, the Landlord served a Notice of Termination with effective termination date October 5, 2020.
2. The Tenant vacated the rental unit on April 26, 2021. The Tenant was in possession of the rental unit on the date the application was filed.
3. The monthly rent is \$1,498.00.
4. The Tenant made no payments after the application was filed but before the hearing date.
5. The Landlord incurred charges of \$40.00 at the time the application was filed, for administration charges related to cheques tendered by or on behalf of the Tenant, which were returned NSF. The Landlord incurred further charges of \$100.00 in administrative fees between the filing of the application and the hearing date.

6. The Landlord collected a rent deposit of \$1,443.00 from the Tenant on December 15, 2016 and this deposit is still being held by the Landlord.
7. Interest on the rent deposit was last paid out to the period ending July 31, 2017. Interest is owing to the Tenant for the period from August 1, 2017 to the termination date in the Notice of Termination, October 5, 2020.

It is ordered that:

1. The tenancy is terminated as of April 26, 2021, the date the Tenant gave vacant possession of the rental unit to the Landlord.
2. Between the hearing date and this order issuance date, if further payments have been made by the Tenant, these amounts shall be deducted from the calculations below.

See attached Schedule 1: Summary of Calculations

3. The Tenant shall pay to the Landlord **\$11,900.69***, which represents the amount of rent owing and compensation up to the vacate date, April 26, 2021, and the total charges related to administrative fees from NSF cheques tendered to the Landlord by or on behalf of the Tenant, less the rent deposit and interest the Landlord owes on the rent deposit.
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 of **\$12,086.69**** on or before June 21, 2021 (standard 11 days from the order issuance date), the Tenant will start to owe interest. This will be simple interest calculated from June 22, 2021 at 2.00% annually on the balance outstanding.

June 10, 2021
Date Issued

Michelle Tan
Member, Landlord and Tenant Board

South West-RO
150 Dufferin Avenue, Suite 400, 4th Floor
London ON N6A5N6

If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.

**Schedule 1
SUMMARY OF CALCULATIONS**

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

Reasons for amount owing	Period	Amount
Arrears: (from the start of the period claimed in the Notice of Termination, up to the termination date in the Notice of Termination)	August 1, 2020 to October 5, 2020	\$3,242.25
Plus compensation: (from the day after the termination date in the Notice of Termination, up to the vacate date)	October 6, 2020 to April 26, 2021	\$10,051.00
Less the rent deposit:		-\$1,443.00
Less the interest owing on the rent deposit:	August 1, 2017 to October 5, 2020	-\$89.56
Administration charges related to NSF cheque charges:		\$140.00
Amount owing to the Landlord on the order date: (total of previous boxes)		\$11,900.69*
Additional costs the Tenant must pay to the Landlord (application filing fee):		\$186.00
Total the Tenant must pay the Landlord as the tenancy is terminated:		\$12,086.69**