



Order under Section 69
Residential Tenancies Act, 2006

File Number: HOL-09070-20

In the matter of: BASEMENT, 172 TORREY PINES ROAD
KLEINBURG ON L4H3X4

Between: Joseph Isaac Landlord

and

Viviana Costantino Tenant

Joseph Isaac (the 'Landlord') applied for an order to terminate the tenancy and evict Viviana Costantino (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on June 21, 2021. The Landlord's Legal Representative, M. Sturino, attended the hearing on behalf of the Landlord. As of 2:55 p.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 5, 2020 to March 31, 2021. Because of the arrears, the Landlord served a Notice of Termination effective November 28, 2020.
2. The Tenant was in possession of the rental unit when the application was filed.
3. The Landlord collected a rent deposit of \$1,297.00 from the Tenant and this deposit is still being held by the Landlord. Interest on the rent deposit is owing to the Tenant for the period from April 2, 2017 to November 28, 2020.
4. The Tenant paid a total of \$1,297.00 to the Landlord after the application was filed.
5. The Tenant vacated the rental unit on March 31, 2021.

It is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated as of March 31, 2021, the date the Tenant gave vacant possession of the rental unit to the Landlord.

2. The Tenant shall pay to the Landlord \$4,876.85*, which represents the amount of rent owing and compensation up to March 31, 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 August 17, 2021, the Tenant will start to owe interest. This will be simple interest calculated from August 18, 2021 at 2.00% annually on the balance outstanding.

August 6, 2021
Date Issued



Arnab Quadry
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 5, 2020 to November 28, 2020	\$2,320.39
Less the amount the Tenant paid to the Landlord		-\$1,297.00
Plus compensation: (from the day after the termination date in the Notice to the date the rental unit was vacated)	November 29, 2020 to March 31, 2021	\$5,244.72
Less the rent deposit:		-\$1,297.00
Less the interest owing on the rent deposit:	April 2, 2017 to November 28, 2020	-\$94.26
Amount owing to the Landlord on the order date: (total of previous boxes)		\$4,876.85
Additional costs the Tenant must pay to the Landlord:		\$186.00
Total the Tenant must pay the Landlord as the tenancy is terminated:		\$5,062.85

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