



Order under Section 69
Residential Tenancies Act, 2006

File Number: TEL-16082-21

In the matter of: 0910, 3967 LAWRENCE AVENUE EAST
TORONTO ON M1G 1S2

Between: Danbar Property Holdings II LP Landlord

and

Abigail Foster Tenant

Danbar Property Holdings II LP (the 'Landlord') applied for an order to terminate the tenancy and evict Abigail Foster (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes. The Landlord also claimed NSF cheque charges and related administration charges.

This application was heard by videoconference on July 28, 2021. The Landlord's Legal Representative, Curtis Begg, attended the hearing. As of 2:15 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 February 1, 2021 to March 31, 2021. Because of the arrears, the Landlord served a Notice of Termination effective March 24, 2021.
2. The Tenant vacated the rental unit on May 31, 2021. The Tenant was in possession of the rental unit on the date the application was filed.
3. The lawful monthly rent was \$1,961.00.
4. The Landlord incurred charges of \$30.00 for cheques tendered by or on behalf of the Tenant, which were returned NSF and \$60.00 for related administration charges.
5. The Landlord collected a rent deposit of \$1,961.00 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 October 1, 2019 to March 24, 2021.
7. The Tenant paid \$4,437.00 after the application was filed.

It is ordered that:

1. The tenancy is terminated as of May 31, 2021, the date the Tenant gave vacant possession of the rental unit to the Landlord.
2. The Tenant shall pay to the Landlord **\$94.06***, which represents the amount of rent owing and compensation up to May 31, 2021 and the total charges related to 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.
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 22, 2021, the Tenant will start to owe interest. This will be simple interest calculated from August 23, 2021 at 2.00% annually on the balance outstanding.

August 11, 2021
Date Issued

Michael Di Salle
Michael Di Salle
Member, Landlord and Tenant Board

Toronto East-RO
2275 Midland Avenue, Unit 2
Toronto ON M1P3E7

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)	February 1, 2021 to March 24, 2021	\$2,062.31
Less the amount the Tenant paid to the Landlord		-\$4,437.00
Plus compensation: (from the day after the termination date in the Notice to the date of the order the Tenant moved)	March 25, 2021 to May 31, 2021	\$4,383.96
Less the rent deposit:		-\$1,961.00
Less the interest owing on the rent deposit:	October 1, 2019 to March 24, 2021	-\$44.21
NSF cheque charges:		\$30.00
Administration charges related to NSF cheque charges:		\$60.00
Amount owing to the Landlord on the order date: (total of previous boxes)		\$94.06
Additional costs the Tenant must pay to the Landlord:		\$186.00
Total the Tenant must pay the Landlord as the tenancy is terminated:		\$280.06

2021 CanLII 120464 (ON LTB)