



Order under Section 69
Residential Tenancies Act, 2006

File Number: TNL-30353-21

In the matter of: BASEMENT UNIT, 93 KINGSLAKE ROAD
NORTH YORK ON M2J3E7

Between: Salimeh Safi Landlord

and

Nyomee Nicole Kiyoshk Tenants
Paul John Sears

Salimeh Safi (the 'Landlord') applied for an order to terminate the tenancy and evict Paul John Sears and Nyomee Nicole Kiyoshk (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was heard by way of a video conference on June 14, 2021. The Landlord attended the hearing, along with the Landlord's Legal Representative, C. Nastas. As of 3:14 p.m., the Tenants were not present or represented at the hearing, although properly served with notice of this hearing by the Board.

Determinations:

1. The application is amended to reflect the correct spelling of the Landlord's name.
2. The Tenants have not paid the total rent the Tenants were required to pay for the period from October 11, 2020 to March 4, 2021. Because of the arrears, the Landlord served a Notice of Termination effective January 8, 2021.
3. The Tenants were in possession of the rental unit on the date the application was filed.
4. The Landlord collected a rent deposit of \$1,999.00 from the Tenants and this deposit is still being held by the Landlord. Interest on the rent deposit is owing to the Tenants for the period from September 11, 2020 to January 8, 2021.
5. The Tenants did not make any payments to the Landlord after the application was filed.
6. The Tenants vacated the rental unit on March 4, 2021.

It is ordered that:

1. The tenancy between the Landlord and the Tenants is terminated as of March 4, 2021, the date the Tenants gave vacant possession of the rental unit to the Landlord.
2. The Tenants shall pay to the Landlord \$7,518.83*, which represents the amount of rent owing and compensation up to March 4, 2021, less the rent deposit and interest the Landlord owes on the rent deposit.
3. The Tenants shall also pay to the Landlord \$186.00 for the cost of filing the application.
4. If the Tenants do not pay the Landlord the full amount owing* on or before August 10, 2021, the Tenants will start to owe interest. This will be simple interest calculated from August 11, 2021 at 2.00% annually on the balance outstanding.

July 30, 2021
Date Issued



Arnab Quadry
Member, Landlord and Tenant Board

Toronto North-RO
47 Sheppard Avenue East, Suite 700, 7th Floor
Toronto ON M2N5X5

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 Tenants 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 11, 2020 to January 8, 2021	\$5,903.90
Plus compensation: (from the day after the termination date in the Notice to the date the rental unit was vacated)	January 9, 2021 to March 4, 2021	\$3,614.60
Less the rent deposit:		-\$1,999.00
Less the interest owing on the rent deposit:	September 11, 2020 to January 8, 2021	-\$0.67
Amount owing to the Landlord on the order date: (total of previous boxes)		\$7,518.83
Additional costs the Tenants must pay to the Landlord:		\$186.00
Total the Tenants must pay the Landlord as the tenancy is terminated:		\$7,704.83

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