



**Order under Subsection 87(1)  
Residential Tenancies Act, 2006**

*Nancy Meis*

**Citation:** Malik v Maqsood, 2023 ONLTB 61018

**Date:** 2023-09-06

**File Number:** LTB-L-009826-23

**In the matter of:** ROOM1 ROOM2, 75 LAMPMAN DR  
SCARBOROUGH ON M1E5K9

**Between:** Saba Malik and Kamal Malik

Landlords

**And**

Shahid Maqsood, Nusrat Bhatti, Afag Ahmed  
and Adeela Shahid

Tenants

Saba Malik and Kamal Malik (the 'Landlords') applied for an order requiring Shahid Maqsood, Nusrat Bhatti, Afag Ahmed and Adeela Shahid (the 'Tenants') to pay the rent that the Tenants owe.

This application was heard by videoconference on July 4, 2023.

The Landlord, K. Malik, and the Tenants, N. Bhatti and S. Maqsood, attended the hearing. The Tenants were assisted with translation by F. Bhatti.

**Determinations:**

1. The Tenants did not pay the total rent they were required to pay for the period from September 1, 2022 to December 2, 2022.
2. The lawful rent is \$1,060.00. It is due on the 1st day of each month.
3. The Tenants said that they paid \$3,000.00 more than the Landlords have credited to them. They said that they overpaid \$3,000.00 in late 2022, and the Landlords did not give them a receipt. The Tenants did not have a receipt for the amount that they claimed was not credited to them.
4. I find, on a balance of probabilities, that the documentary evidence proves that the Tenants paid the rent until the end of September 2022, and they owe the Landlords for the months of October, November and two days in December 2022.
5. The Tenants are no longer in possession of the rental unit. They moved out on December 2, 2022. The Tenants' obligation to pay rent ends on December 2, 2022.
6. The rent arrears and daily compensation owing to December 2, 2022 are \$3,249.70
7. The Landlords collected a rent deposit of \$1,060 from the Tenants and this deposit is still being held by the Landlord. The rent deposit shall be applied to the arrears of rent because



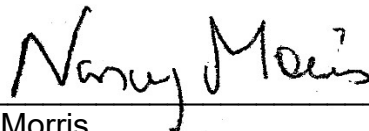
the tenancy is terminated. The total of arrears owed to the date the Tenants moved out, less the rent deposit, is \$2,189.70.

8. The Landlord incurred costs of \$201.00 for filing the application and is entitled to reimbursement of those costs.

**It is ordered that:**

1. The Tenants shall pay to the Landlords \$2,390.70. This amount includes rent arrears owing up to December 2, 2022 and the cost of the application.
2. If the Tenants do not pay the Landlords the full amount owing on or before September 17, 2023, the Tenants will start to owe interest. This will be simple interest calculated from September 18, 2023 at 6.00% annually on the balance outstanding.

**September 6, 2023**  
**Date Issued**

  
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Nancy Morris  
Member, Landlord and Tenant Board

15 Grosvenor Street, Ground Floor  
Toronto ON M7A 2G6

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