



**In the matter of:** 2604, 2450 WESTON ROAD  
NORTH YORK ON M9N2A3

**Between:** IMH Pool XX LP Landlord

**and**

Abriana Forsythe, Tenants  
Michael Forsythe,  
Susaye Davis Forsythe

IMH Pool XX LP (the 'Landlord') applied for an order to terminate the tenancy and evict Abriana Forsythe, Michael Forsythe and Susaye Davis Forsythe (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was heard by videoconference on May 31, 2021.

Only the Landlord's Legal Representative, Matt Anderson, attended the hearing. As of 2:56 pm, the Tenants were not present or represented at the hearing.

**Determinations:**

1. The Tenants have not paid the total rent the Tenants were required to pay for the period from August 1, 2020 to May 31, 2021. Because of the arrears, the Landlord served a Notice of Termination effective October 28, 2020.
2. As of January 1, 2021, the monthly rent was reduced to \$1,333.23.
3. The Landlord collected a rent deposit of \$1,314.83 from the Tenants and this deposit is still being held by the Landlord.
4. The Landlord paid interest on the rent deposit to December 31, 2020 so that a credit amount is owing to the Landlord going from December 31, 2020 back to October 28, 2020.
5. The Tenants paid \$4,191.37 after the application was filed.
6. The Tenants moved out of the rental unit on April 20, 2021. As a result, the Landlord's Legal Representative stated the Landlord no longer seeks termination or eviction under the application, but instead seeks an order for arrears only

**It is ordered that:**

1. The tenancy between the Landlord and the Tenants is terminated as of April 20, 2021, the date when the Tenants gave vacant possession of the rental unit back to the Landlord.
2. The Tenants shall pay to the Landlord \$3,576.96\*, which represents the amount of rent owing and compensation up to April 20, 2021, less the rent deposit and plus the adjusted interest 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 July 2, 2021, the Tenants will start to owe interest. This will be simple interest calculated from July 3, 2021 at 2.00% annually on the balance outstanding.

**June 21, 2021**  
**Date Issued**

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

e-signed by A. Brkic  
Alex Brkic  
Member, Landlord and Tenant Board

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**

**File Number: TNL-29032-20**

**A. Amount the Tenants must pay as the tenancy is terminated:**

<b>Reasons for amount owing</b>	<b>Period</b>	<b>Amount</b>
Arrears: (up to the termination date in the Notice of Termination)	August 1, 2020 to October 28, 2020	\$1,390.76
Less the amount the Tenants paid to the Landlord		-\$4,191.37
Plus compensation: (from the day after the termination date in the Notice to the date the Tenants moved out of the rental unit)	October 29, 2020 to April 20, 2021	\$7,687.32
Less the rent deposit:		-\$1,314.83
Plus the adjusted interest owing on the rent deposit:	December 31, 2020 back to October 28, 2020	\$5.08
Amount owing to the Landlord on the order date: (total of previous boxes)		<b>\$3,576.96</b>
Additional costs the Tenants must pay to the Landlord:		\$186.00
<b>Total the Tenants must pay the Landlord as the tenancy is terminated:</b>		<b>\$3,762.96</b>

2021 CanLII 100263 (ON LTB)