



Order under Section 69  
**Residential Tenancies Act, 2006**

**File Number:** TNL-33120-21

**In the matter of:** 910, 4500 JANE STREET  
TORONTO ON M3N2K6

**Between:** Starlight Canadian Residential Growth Fund Landlord

**and**

Roman Cervenak Tenants  
Zdenka Cervenakova

Starlight Canadian Residential Growth Fund (the 'Landlord') applied for an order to terminate the tenancy and evict Roman Cervenak and Zdenka Cervenakova (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was heard by videoconference on September 24, 2021. Only the Landlord's Legal Representative, Sean Beard, attended the hearing. As of 11:50 a.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 Tenants have not paid the total rent the Tenants were required to pay for the period from May 1, 2021 to June 30, 2021. Because of the arrears, the Landlord served a Notice of Termination effective June 23, 2021.
2. The Tenants vacated the rental unit on June 30, 2021. The Tenants were in possession of the rental unit on the date the application was filed.
3. The lawful monthly rent was \$1,369.18.
4. The Tenants have made no payments since the application was filed.
5. The Landlord collected a rent deposit of \$1,369.18 from the Tenants and this deposit is still being held by the Landlord.
6. Interest on the rent deposit is owing to the Tenants for the period from January 1, 2021 to June 23, 2021.

**It is ordered that:**

1. The tenancy is terminated as of June 30, 2021, the date the Tenants gave vacant possession of the rental unit to the Landlord.
2. The Tenants shall pay to the Landlord \$1,349.74\*, which represents the amount of rent owing and compensation up to June 30, 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 October 19, 2021, the Tenants will start to owe interest. This will be simple interest calculated from October 20, 2021 at 2.00% annually on the balance outstanding.

**October 8, 2021**  
**Date Issued**



Richard Ferriss  
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**

**File Number: TNL-33120-21**

**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)	May 1, 2021 to June 23, 2021	\$2,404.51
Plus compensation: (from the day after the termination date in the Notice to the date of the order)	June 24, 2021 to June 30, 2021	\$315.07
Less the rent deposit:		-\$1,369.18
Less the interest owing on the rent deposit:	January 1, 2021 to June 23, 2021	-\$0.66
<b>Amount owing to the Landlord on the order date:</b> (total of previous boxes)		<b>\$1,349.74</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>\$1,535.74</b>

2021 CanLII 139919 (ON LTB)