



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

**File Number:** TSL-20023-21

**In the matter of:** 0410, 222 ELM STREET  
TORONTO ON M5T1K5

**Between:** Elm Place Inc. Landlord

**and**

Timothy Tin Ho Ma Tenant

Elm Place Inc. (the 'Landlord') applied for an order to terminate the tenancy and evict Timothy Tin Ho Ma (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on July 7, 2021. Only the Landlord's Legal Representative, F. Quattrociocchi, attended the hearing. As of 10:50 a.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 January 1, 2021 to July 31, 2021. Because of the arrears, the Landlord served a Notice of Termination effective January 22, 2021.
2. The Tenant vacated the rental unit on May 6, 2021. The Tenant was in possession of the rental unit on the date the application was filed.
3. The lawful monthly rent was \$1,989.83.
4. The Landlord collected a rent deposit of \$1,927.00 from the Tenant and this deposit is still being held by the Landlord.
5. Interest on the rent deposit is owing to the Tenant for the period from July 1, 2019 to January 22, 2021.
6. The Tenant paid \$7,959.32 after the application was filed.

**It is ordered that:**

1. The tenancy is terminated as of May 6, 2021, the date the Tenant gave vacant possession of the rental unit to the Landlord.

2. As of the date of this order, the amount of the rent deposit and interest the Landlord owes on the rent deposit exceeds the arrears of rent and compensation the Landlord is entitled to by \$1,687.00\*.
3. However, the Landlord is authorized to offset \$186.00 from the amount they owe for the cost of filing the application.
4. The Landlord or the Tenant shall pay to the other any sum of money that is owed as a result of this order.



**July 14, 2021**  
**Date Issued**

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Nicola Mulima  
Member, Landlord and Tenant Board

Toronto South-RO  
15 Grosvenor Street, 1st 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.

\* Refer to section A on the attached Summary of Calculations.

**Schedule 1  
SUMMARY OF CALCULATIONS**

**File Number: TSL-20023-21**

**A. Amount the Tenant 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)	January 1, 2021 to January 22, 2021	\$1,439.22
Less the amount the Tenant paid to the Landlord		-\$7,959.32
Plus compensation: (from the day after the termination date in the Notice to the date of the order)	January 23, 2021 to May 6, 2021	\$6,803.68
Less the rent deposit:		-\$1,927.00
Less the interest owing on the rent deposit:	July 1, 2019 to January 22, 2021	-\$43.58
Amount owing to the Landlord on the order date: (total of previous boxes)		<b>-\$1,687.00</b>
Additional costs the Tenant must pay to the Landlord:		\$186.00
<b>Total the Tenant must pay the Landlord as the tenancy is terminated:</b>		<b>-\$1,501.00</b>

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