



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

**Citation:** Fortier v Ploughman, 2024 ONLTB 20518

**Date:** 2024-03-14

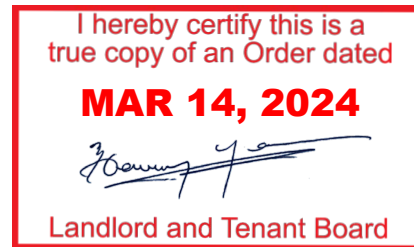
**File Number:** LTB-L-080282-23

**In the matter of:** 616, 1900 SIMCOE ST N  
OSHAWA ON L1G4Y3

**Between:** Amanda Fortier

**And**

Trevor Ploughman



Landlord

Tenant

Amanda Fortier (the 'Landlord') applied for an order to terminate the tenancy and evict Trevor Ploughman (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on February 6, 2024.

Only the Landlord attended the hearing.

**Determinations:**

1. The Landlord served the Tenant with a valid Notice to End Tenancy Early for Non-payment of Rent (N4 Notice). The Tenant did not void the notice by paying the amount of rent arrears owing by the termination date in the N4 Notice or before the date the application was filed.
2. The Tenant was in possession of the rental unit on the date the application was filed.
3. The Tenant vacated the rental unit on November 26, 2023. Rent arrears are calculated up to the date the Tenant vacated the unit. On that day, the Tenant messaged the Landlord to say that he was leaving and that the keys were left at the front desk.
4. The lawful rent is \$655.00. It was due on the first day of each biweekly rental period.
5. The Tenant has not made any payments since the application was filed.
6. The rent arrears owing to November 26, 2023 are \$4,396.60.
7. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
8. The Landlord collected a rent deposit of \$1,400.00 from the Tenant and this deposit is still being held by the Landlord. The rent deposit is applied to the arrears of rent because the tenancy terminated.
9. Interest on the rent deposit, in the amount of \$30.40 is owing to the Tenant for the period from June 29, 2023 to November 26, 2026.

**It is ordered that:**

1. The tenancy between the Landlord and the Tenant is terminated as of November 26, 2023, the date the Tenant moved out of the rental unit
2. The Tenant shall pay to the Landlord \$3,152.20. This amount includes rent arrears owing up to the date the Tenant moved out of the rental unit and the cost of filing the application. The rent deposit and interest the Landlord owes on the rent deposit is deducted from the amount owing by the Tenant. See Schedule 1 for the calculation of the amount owing.
3. If the Tenant does not pay the Landlord the full amount owing on or before March 25, 2024, the Tenant will start to owe interest. This will be simple interest calculated from March 26, 2024 at 7.00% annually on the balance outstanding.

**March 14, 2024**  
**Date Issued**

  
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 Henry Yeung  
 Member, Landlord and Tenant Board

15 Grosvenor St, 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.

**Schedule 1**  
**SUMMARY OF CALCULATIONS**

**A. Amount the Tenant must pay as the tenancy is terminated**

Rent Owing To Move Out Date	\$4,396.60
Application Filing Fee	\$186.00
<b>Less</b> the amount of the last month's rent deposit	- \$1,400.00
<b>Less</b> the amount of the interest on the last month's rent deposit	- \$30.40
<b>Total amount owing to the Landlord</b>	<b>\$3,152.20</b>