



Order under Section 79
Residential Tenancies Act, 2006

File Number: TEL-11962-20

In the matter of: BASEMENT, 100 CATALINA DRIVE
SCARBOROUGH ON M1M1K8

Between: Monica Forti Landlords
Goran Mihajlovic

and

Ariona Abbott Tenants
Patrick Prinzie

Monica Forti and Goran Mihajlovic (the 'Landlords') applied for an order to terminate the tenancy because Patrick Prinzie and Ariona Abott (the 'Tenants') have abandoned the rental unit.

This application was heard by videoconference on July 6, 2021.

Only the Landlord's legal representative Paul Portman attended the hearing.

The Tenants were not present or represented at any time during the hearing block.

Determinations:

1. The Landlord's uncontested evidence persuaded me that the Tenants abandoned the rental unit on August 1, 2020.
2. The Landlords entered into a verbal tenancy agreement with the Tenants on December 20, 2019. The Landlord learned from the neighbours that the Tenants were seen removing some of their possessions from the rental unit on July 31, 2020. The neighbours then informed that a moving truck was seen at the rental unit on August 1, 2021. The Landlords were unable to get in contact with the Tenants and inspected the rental unit. They found the door to the rental unit unlocked and the rental unit empty of personal artifacts. The rent had not been paid since March 1, 2020 and the Tenants were in arrears. The Tenants have not returned to the rental unit since. These facts led me to conclude that the Tenants abandoned the rental unit on August 1, 2020.
3. The Landlord requested an order under subsection 42(1) of the *Residential Tenancies Act, 2006* (the 'Act'). This provision states in part that a landlord may dispose of property in a rental unit that a tenant has abandoned and property of persons occupying the rental unit that is in the residential complex in which the rental unit is located in accordance with

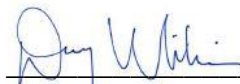
subsections (2) and (3) if the landlord obtains an order terminating the tenancy under section 79. This is that order.

It is ordered that:

1. The tenancy is terminated as of August 1, 2020, the date the Tenants abandoned the rental unit.
2. The Tenants shall pay to the Landlords \$186.00 for the cost of filing the application.
3. If the Tenants do not pay the Landlords the full amount owing on or before October 2, 2021, they will start to owe interest. This will be simple interest calculated from October 3, 2021 at 2.00% annually on the balance outstanding.

September 22, 2021
Date Issued

Toronto East-RO
2275 Midland Avenue, Unit 2
Toronto ON M1P3E7



Douglas Wilkins
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.