



Order under Section 69
Residential Tenancies Act, 2006

File Number: TNL-29048-20

In the matter of: 60, 85 HENDERSON AVENUE
THORNHILL ON L3T2L1

Between: Capreit Limited Partnership

Landlord

and

Alexandra Stefan
George Stefan
Octavia Minea

Tenants

Capreit Limited Partnership (the 'Landlord') applied for an order to terminate the tenancy and evict Alexandra Stefan, George Stefan and Octavia Minea (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe. The Landlord also claimed NSF cheque charges and related administration charges.

This application was heard via videoconference on May 31, 2021 at 1:00 p.m.

Only the Landlord, represented by Geoff Paine, a licensed Paralegal, attended the hearing. The Tenants were not present or represented at the hearing though being properly served with the Notice of Hearing by the Board.

The hearing proceeded without the Tenants at 1:30 p.m.

Determinations:

1. The Tenants have not paid the total rent the Tenants were required to pay for the period from October 1, 2020 to May 31, 2021. Because of the arrears, the Landlord served a Notice of Termination effective October 31, 2020.
2. The Tenants were in possession of the rental unit when the application was filed.
3. The lawful monthly rent is \$2,260.00
4. The Landlord incurred charges of \$5.00 for a cheque tendered by or on behalf of the Tenants, which was returned NSF and \$20.00 for related administration charges.
5. The Tenants paid \$2,260.00 after the application was filed.

6. The Landlord does not hold a last month's rent deposit.
7. The Tenants moved out of the rental unit on November 30, 2020.

It is ordered that:

1. The Tenancy is terminated November 30, 2020 the day the Tenants vacated the rental unit and returned vacant possession of the rental unit to the Landlord.
2. The Tenants shall pay to the Landlord \$2,229.00*, which represents the amount of rent owing and compensation up to November 30, 2020 and the total charges (\$25.00) related to a NSF cheque tendered to the Landlord by or on behalf of the Tenants.
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 December 11, 2020, the Tenants will start to owe interest. This will be simple interest calculated from December 12, 2020 at 2.00% annually on the balance outstanding.

August 16, 2021
Date Issued



Peter Pavlovic
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**

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A. Amount the Tenants must pay if the tenancy is terminated:

| Reasons for amount owing | Period | Amount |
|---|---------------------------------------|-------------------|
| Arrears: (up to the termination date in the Notice of Termination) | October 1, 2020 to October 31, 2020 | \$2,260.00 |
| Less the amount the Tenants paid to the Landlord | | -\$2,260.00 |
| Plus compensation: (from the day after the termination date in the Notice to the date of the order) | November 1, 2020 to November 30, 2020 | \$2,229.00 |
| NSF cheque charges: | | \$5.00 |
| Administration charges related to NSF cheque charges: | | \$20.00 |
| Amount owing to the Landlord on the order date: (total of previous boxes) | | \$2,254.00 |
| Additional costs the Tenants must pay to the Landlord: | | \$186.00 |
| Total the Tenants must pay the Landlord if the tenancy is terminated: | | \$2,440.00 |

2021 CanLII 121692 (ON LTB)