



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

**File Number:** TNL-33216-21

**In the matter of:** BASEMENT, 289 BROWDALE CRESCENT  
RICHMOND HILL ON L4C3H9

**Between:** Mike Kazemi Landlords  
Atieh Ghorbanpour

**and**

Ali Javan Javidan Tenant

Mike Kazemi and Atieh Ghorbanpour (the 'Landlords') applied for an order to terminate the tenancy and evict Ali Javan Javidan (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on October 18, 2021. One of the Landlords, Mike Kazemi and Shahram Bonyanpour, who had previously been identified as a Tenant in the application, attended the hearing.

**Determinations:**

1. The Tenant has not paid the total rent the Tenant was required to pay for the period from March 21, 2021 to October 20, 2021. Because of the arrears, the Landlords served a Notice of Termination effective June 30, 2021.
2. The application is amended to remove Shahram Bonyanpour as a party.
3. The Tenant vacated the rental unit on September 2, 2021. The Tenant was in possession of the rental unit on the date the application was filed.
4. The lawful monthly rent was \$1,400.00.
5. The Landlords collected a rent deposit of \$1,400.00 from the Tenant and this deposit is still being held by the Landlords.
6. Interest on the rent deposit is owing to the Tenant for the period from October 21, 2020 to June 30, 2021.
7. The Tenant paid \$933.00 after the application was filed.

**It is ordered that:**

1. The tenancy is terminated as of September 2, 2021, the date the Tenant gave vacant possession of the rental unit to the Landlord.
2. The Tenant shall pay to the Landlords **\$4,145.21\***, which represents the amount of rent owing and compensation up to September 2, 2021, less the rent deposit and interest the Landlords owe on the rent deposit.
3. The Tenant shall also pay to the Landlords **\$186.00** for the cost of filing the application.
4. If the Tenant does not pay the Landlords the full amount owing\* on or before October 31, 2021, the Tenant will start to owe interest. This will be simple interest calculated from November 1, 2021 at 2.00% annually on the balance outstanding.

**October 21, 2021**  
**Date Issued**

*Michael Di Salle*  
Michael Di Salle  
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-33216-21**

**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)	March 21, 2021 to May 20, 2021	\$1,600.00
Less the amount the Tenant paid to the Landlords		-\$933.00
Plus compensation: (from the day after the termination date in the Notice to the date of the order)	May 21, 2021 to September 2, 2021	\$4,879.18
Less the rent deposit:		-\$1,400.00
Less the interest owing on the rent deposit:	October 21, 2020 to June 30, 2021	-\$0.97
Amount owing to the Landlords on the order date: (total of previous boxes)		<b>\$4,145.21</b>
Additional costs the Tenant must pay to the Landlords:		\$186.00
<b>Total the Tenant must pay the Landlords as the tenancy is terminated:</b>		<b>\$4,331.21</b>

2021 CanLII 142719 (ON LTB)