



Order under Section 69
Residential Tenancies Act, 2006

File Number: TEL-15068-21

In the matter of: 2, 328 MALAGA ROAD EAST
DURHAM OSHAWA ON L1J1N7

Between: Eddenburn Allen Landlord

and

Mark Nochta Tenant

Eddenburn Allen (the 'Landlord') applied for an order to terminate the tenancy and evict Mark Nochta (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on December 8, 2021. Only the Landlord's Agent, Crystal Do Couto attended the hearing. As of 2:29 p.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 November 30, 2021. Because of the arrears, the Landlord served a Notice of Termination effective January 17, 2021.
2. The Tenant vacated the rental unit on November 5, 2021. The Tenant was in possession of the rental unit on the date the application was filed.
3. The lawful monthly rent was \$1,100.00.
4. The Tenant has made no payments since the application was filed.
5. The Landlord collected a rent deposit of \$1,050.00 from the Tenant and this deposit is still being held by the Landlord.
6. Interest on the rent deposit is owing to the Tenant for the period from August 1, 1997 to January 17, 2021.

It is ordered that:

1. The Tenancy is terminated as of November 5, 2021, the date the Tenant gave vacant possession of the rental unit to the Landlord.
1. The Tenant shall pay to the Landlord \$9,265.55*, which represents the amount of rent owing and compensation up to November 5, 2021, less the rent deposit and interest the Landlord owes on the rent deposit.
2. The Tenant shall also pay to the Landlord \$201.00 for the cost of filing the application.
3. If the Tenant does not pay the Landlord the full amount owing* on or before January 15, 2022, the Tenant will start to owe interest. This will be simple interest calculated from January 16, 2022 at 2.00% annually on the balance outstanding.

January 5, 2022
Date Issued



Greg Brocanier
Member, Landlord and Tenant Board

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

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 Tenant must pay as the tenancy is terminated:

Reasons for amount owing	Period	Amount
Arrears: (up to the termination date in the Notice of Termination)	January 1, 2021 to January 17, 2021	\$614.79
Plus compensation: (from the day after the termination date in the Notice to the date of the order)	January 18, 2021 to November 5, 2021	\$10,558.72
Less the rent deposit:		-\$1,050.00
Less the interest owing on the rent deposit:	August 1, 1997 to January 17, 2021	-\$857.96
Amount owing to the Landlord on the order date:(total of previous boxes)		\$9,265.55
Additional costs the Tenant must pay to the Landlord:		\$201.00
Total the Tenant must pay the Landlord as the tenancy is terminated:		\$9,466.55

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