



Order under Section 69
Residential Tenancies Act, 2006

File Number: SOL-17691-20

In the matter of: 21 ASHER STREET
WELLAND ON L3B4H9

Between: Francesco Casarella

Landlord

and

Terry Roswell

Tenant

Francesco Casarella (the 'Landlord') applied for an order to terminate the tenancy and evict Terry Roswell (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on May 25, 2021. Only the Landlord's Legal Representative attended the hearing. As of 10:02 a.m., the Tenant was not present or represented at the hearing.

Determinations:

1. The Tenant has not paid the total rent the Tenant was required to pay for the period from March 1, 2020 to May 31, 2021. Because of the arrears, the Landlord served a Notice of Termination effective May 11, 2020.
2. The Tenant vacated the rental unit on March 14, 2021. The Tenant was in possession of the rental unit on the date the application was filed.
3. The lawful monthly rent was \$1,775.00
4. The Landlord collected a rent deposit of \$1,775.00 from the Tenant and this deposit is still being held by the Landlord.
5. Interest on the rent deposit is owing to the Tenant for the period from August 29, 2019 to May 11, 2020.
6. The Tenant has made no payments since the application was filed.

It is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated as of April 14, 2021, the date the Tenant gave vacant possession of the rental unit to the Landlord.
2. The Tenant shall pay to the Landlord \$14,750.10*, which represents the amount of rent owing and compensation up to April 14, 2021, less the rent deposit and interest the Landlord owes on the rent deposit.
3. If the Tenant does not pay the Landlord the full amount owing* on or before July 3, 2021, the Tenant will start to owe interest. This will be simple interest calculated from July 4, 2021 at 2.00% annually on the balance outstanding.
4. If the unit is not vacated on or before April 14, 2021, then starting April 15, 2021, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.

June 22, 2021
Date Issued



Kathleen Wells
Member, Landlord and Tenant Board

Southern-RO
119 King Street West, 6th Floor
Hamilton ON L8P4Y7

If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.

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* 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)	March 1, 2020 to May 11, 2020	-\$3,173.08
Plus compensation: (from the day after the termination date in the Notice to the date of the order)	May 12, 2020 to April 14, 2021	\$19,725.68
Less the rent deposit:		-\$1,775.00
Less the interest owing on the rent deposit:	August 29, 2019 to May 11, 2020	-\$27.50
Amount owing to the Landlord on the order date: (total of previous boxes)		\$14,750.10
Total the Tenant must pay the Landlord as the tenancy is terminated:		\$14,750.10

2021 CanLII 95971 (ON LTB)