



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

Citation: Syed Hasan Raza v Coreen Thompson, 2023 ONLTB 44900

Date: 2023-06-23

File Number: LTB-L-060040-22

In the matter of: 55 BEACHVILLE CIR
BRAMPTON ON L6X0V2

Between: Narjis Raza Landlords
Syed Hasan Raza

And

Coreen Thompson Tenant

Narjis Raza and Syed Hasan Raza (the 'Landlords') applied for an order to terminate the tenancy and evict Coreen Thompson (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

The Landlords also claimed charges related to NSF cheques

This application was heard by videoconference on June 8, 2023.

Only the second-named Landlord and the Landlords' legal representative, Muhammed Khan, attended the hearing.

The hearing was scheduled to begin at 9:00am. As of 9:30am, the Tenant was not present or represented at the hearing although properly served with notice of this hearing by the LTB. There was no record of a request to adjourn the hearing. As a result, the hearing proceeded with only the Landlords' evidence. The hearing block ended at approximately 12:00pm but the Tenant failed to appear at any point during the block.

Determinations:

1. The Landlords served the Tenant with a valid Notice to End Tenancy Early for Nonpayment of Rent (N4 Notice). The Tenant did not void the notice by paying the amount of rent arrears owing by the termination date in the N4 Notice or before the date the application was filed.
2. The Tenant was in possession of the rental unit on the date the application was filed.

3. The Tenant vacated the rental unit on June 1, 2023. Rent arrears are calculated up to the date the Tenant vacated the unit.
4. The lawful rent is \$2,900.00. It was due on the 15th day of each month.
5. The Tenant has not made any payments since the application was filed.
6. The rent arrears owing to June 1, 2023 are \$27,816.12.

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7. The Landlords are entitled to \$120.00 to reimburse the Landlords for administration charges the Landlords incurred as a result of 6 cheque given by or on behalf of the Tenant which were returned NSF.
8. The Landlords incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
9. The Landlords collected a rent deposit of \$2,900.00 from the Tenant and this deposit is still being held by the Landlords. The rent deposit is applied to the arrears of rent because the tenancy terminated.
10. Interest on the rent deposit, in the amount of \$77.07 is owing to the Tenant for the period from May 10, 2022, to June 1, 2023.

It is ordered that:

1. The tenancy between the Landlords and the Tenant is terminated as of June 1, 2023, the date the Tenant moved out of the rental unit
2. The Tenant shall pay to the Landlords \$25,145.05. This amount includes rent arrears owing up to the date the Tenant moved out of the rental unit and the cost of filing the application and unpaid NSF charges. The rent deposit and interest the Landlords owes on the rent deposit is deducted from the amount owing by the Tenant. See Schedule 1 for the calculation of the amount owing.
3. If the Tenant does not pay the Landlords the full amount owing on or before July 4, 2023, the Tenant will start to owe interest. This will be simple interest calculated from July 5, 2023 at 6.00% annually on the balance outstanding.

June 23, 2023

Date Issued

Laura Hartsliet

Member, Landlords and Tenant Board

15 Grosvenor St, Ground Floor Toronto
ON M7A 2G6

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

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**Schedule 1
SUMMARY OF CALCULATIONS**

A. Amount the Tenant must pay as the tenancy is terminated

Rent Owing To Move Out Date	\$27,816.12
Application Filing Fee	\$186.00
NSF Charges	\$120.00
Less the amount the Tenant paid to the Landlords since the application was filed	- \$0.00
Less the amount the Tenant paid into the LTB since the application was filed	- \$0.00
Less the amount of the last month's rent deposit	- \$2,900.00
Less the amount of the interest on the last month's rent deposit	- \$77.07
Less the amount the Landlords owes the Tenant for an {abatement/rebate}	- \$0.00
Less the amount of the credit that the Tenant is entitled to	- \$0.00
Total amount owing to the Landlords	\$25,145.05

2023 ONL TB 44900 (CanLII)