



## Order under Section 69 Residential Tenancies Act, 2006

**Citation:** Tiziana Gil v Ganesh Beharry, 2023 ONLTB 40360

**Date:** 2023-05-29

**File Number:** LTB-L-069831-22

**In the matter of:** 200 WERRY AVE  
SOUTHGATE ON N0C1B0

**Between:** Daren Daley Landlords  
Tiziana Gil

**And**

Ganesh Beharry Tenant

Daren Daley and Tiziana Gil (the 'Landlords') applied for an order to terminate the tenancy and evict Ganesh Beharry (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on May 9, 2023.

The Landlords attended the hearing. The Tenant attended the hearing.

### Determinations:

1. The Landlord served the Tenant with an invalid Notice to End Tenancy Early for Nonpayment of Rent (N4 Notice). The Landlord sought an order requiring the Tenant to pay the rent the Tenant owe.
1. As of the hearing date, the Tenant was still in possession of the rental unit.
2. The lawful rent is \$2,800.00. It is due on the 1st day of each month.
3. Based on the Monthly rent, the daily rent/compensation is \$92.05. This amount is calculated as follows: \$2,800.00 x 12, divided by 365 days.
4. The Tenant has paid \$3,500.00 to the Landlord since the application was filed.
5. The rent arrears owing to May 31, 2023 are \$12, 000.00.
6. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.

**It is ordered that:**

1. The Tenant shall pay to the Landlords \$12,186.00. This amount includes rent arrears owing up to May 31, 2023 and the cost of the application.

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2. If the Tenant does not pay the Landlords the full amount owing on or before June 9, 2023, the Tenant will start to owe interest. This will be simple interest calculated from June 10, 2023 at 6.00% annually on the balance outstanding.

**May 29, 2023**  
**Date Issued**

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Emile Ramlochan

Member, Landlord and Tenant Board

15 Grosvenor Street, 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.

