



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

**Citation:** 75 Eastdale Inc. v Euretta Roffey, 2023 ONLTB 39399

**Date:** 2023-05-29

**File Number:** LTB-L-072162-22

**In the matter of:** 714, 75 EASTDALE AVE  
EAST YORK ON M4C5N3

**Between:** 75 Eastdale Inc. Landlord

**And**

Euretta Roffey Tenant

75 Eastdale Inc. (the 'Landlord') applied for an order to terminate the tenancy and evict Euretta Roffey (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on May 11, 2023 at 1:00 p.m.

The Landlord, represented by Ireland King, a licensed Paralegal. and the Tenant attended the hearing.

**Determinations:**

1. The Landlord served the Tenant with a valid Notice to End Tenancy Early for Non-payment 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. As of the hearing date, the Tenant was still in possession of the rental unit.
3. The lawful rent is \$1,347.41. It is due on the 1st day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$44.30. This amount is calculated as follows: \$1,347.41 x 12, divided by 365 days.
5. The Tenant has paid \$9,597.30 to the Landlord since the application was filed.
6. The rent arrears owing to May 31, 2023 are \$1.79
7. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
8. The Landlord collected a rent deposit of \$1,347.41 from the Tenant and this deposit is still being held by the Landlord. The rent deposit can only be applied to the last rental period of the tenancy if the tenancy is terminated.
9. Interest on the rent deposit, in the amount of \$310.35 is owing to the Tenant for the period from September 1, 2009 to May 11, 2023.

10. I have considered all of the disclosed circumstances in accordance with subsection 83(2) of the *Residential Tenancies Act, 2006* (the 'Act'), and find that it would not be unfair to grant relief from eviction subject to the conditions set out in this order pursuant to subsection 83(1)(a) and 204(1) of the Act.

**It is ordered that:**

1. The Tenant shall pay to the Landlord the sum of \$187.79, consisting of \$186.00 for the application filing fee and \$1.79 for outstanding rental arrears on or before June 15, 2023.
2. If the Tenant does not pay the Landlord the full amount owing on or before June 15, 2023, the Tenants will start to owe interest. This will be simple interest calculated from June 16, 2023 at 6.00% annually on the balance outstanding.

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

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Peter Pavlovic  
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.