



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

Citation: Etelvina Taylor v Dejah Rosemay, 2023 ONLTB 39254

Date: 2023-05-23

File Number: LTB-L-063473-22

In the matter of: Main Floor-9 Syracuse Crescent Scarborough,
ON M1E 2G7

Between: Etelvina Taylor

Landlord

And

Dejah Rosemay Tenants Nasir Rosemay

Etelvina Taylor (the 'Landlord') applied for an order to terminate the tenancy and evict Dejah Rosemay and Nasir Rosemay (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was heard by videoconference on April 26, 2023.

Only the Landlord, the Landlord's agent Donna Hearn and the Landlord's Legal Representative Syed Javed Hussain attended the hearing.

As of 1:46 pm, the Tenants were 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 Landlord's evidence.

Determinations:

1. The Landlord served the Tenants with a valid Notice to End Tenancy Early for Nonpayment of Rent (N4 Notice). The Tenants 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 Tenants were in possession of the rental unit on the date the application was filed.
3. The Tenants vacated the rental unit on January 17, 2023. Rent arrears are calculated up to the date the Tenants vacated the unit.
4. The lawful rent is \$1,450.00. It was due on the 1st day of each month.

5. The Tenants have not made any payments since the application was filed.
6. The rent arrears owing to January 17, 2023 are \$8,060.39.
7. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
8. There is no last month's rent deposit.

It is ordered that:

9. The tenancy between the Landlord and the Tenants is terminated as of January 17, 2023, the date the Tenants moved out of the rental unit
10. The Tenants shall pay to the Landlord \$8,246.39. This amount includes rent arrears owing up to the date the Tenants moved out of the rental unit and the cost of filing the application. See Schedule 1 for the calculation of the amount owing.
11. If the Tenants do not pay the Landlord the full amount owing on or before June 3, 2023, the Tenants will start to owe interest. This will be simple interest calculated from June 4, 2023 at 6.00% annually on the balance outstanding.

May 23, 2023

Date Issued

Jagger Benham

Member, Landlord 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.

Schedule 1
SUMMARY OF CALCULATIONS

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

Rent Owing To Move Out Date	\$8,060.39
Application Filing Fee	\$186.00
Total amount owing to the Landlord	\$8,246.39

2023 ONL TB 39254 (CanLII)