



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

Citation: 2741123 Ontario Inc. v Amhed Mejia Morales, 2023 ONLTB 36163

Date: 2023-05-11

File Number: LTB-L-061328-22

In the matter of: 206, 2 BASKING RIDGE
ETOBICOKE ON M8Y1Y4

Between: 2741123 Ontario Inc. Landlord

And

Amhed Mejia Morales and Guadalupe Mejia Morales Tenants

2741123 Ontario Inc. (the 'Landlord') applied for an order to terminate the tenancy and evict Amhed Mejia Morales and Guadalupe Mejia Morales (the 'Tenants') because the Tenants did not pay the rent that the Tenants owes.

This application was heard by videoconference on April 26, 2023. The Landlord's Representative, Jamuna Ganesan and the Tenant, Amhed Mejia Morales attended the hearing, the Tenant, Amhed Mejia Morales confirmed he has the authority to consent on behalf of the Tenant, Guadalupe Mejia Morales. The parties agreed to participate in mediation. As a result of the mediation, the parties mutually agreed to resolve all matters at issue in the application and requested an order on consent. I was satisfied the parties understood the terms and consequences of their consent.

Agreed Facts:

1. The Landlord served the Tenants with a Notice to End Tenancy Early for Non-payment 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 was in possession of the rental unit on the date the application was filed.
3. The Tenants vacated the rental unit on April 22, 2023. Rent arrears are calculated up to the date the Tenants vacated the unit.
4. The lawful rent is \$2,150.00. It was due on the 1st day of each month.
5. The Tenants have paid \$2,400.00 to the Landlord since the application was filed.
6. The rent arrears owing to April 22, 2023 are \$16,950.00.

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 \$2,150.00 from the Tenants and this deposit is still being held by the Landlord. The rent deposit is applied to the arrears of rent because the tenancy terminated.
9. Interest on the rent deposit, in the amount of \$64.50 is owing to the Tenants for the period from February 9, 2022 to April 22, 2023.

It is ordered that:

1. The tenancy between the Landlord and the Tenants is terminated as of April 22, 2023, the date the Tenants moved out of the rental unit
2. The Tenants shall pay to the Landlord \$17,136.00. 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. The rent deposit and interest the Landlord owes on the rent deposit is deducted from the amount owing by the Tenants. See Schedule 1 for the calculation of the amount owing.
3. If the Tenants does not pay the Landlord the full amount owing on or before May 31, 2023, the Tenants will start to owe interest. This will be simple interest calculated from June 1, 2023 at 6.00% annually on the balance outstanding.

May 11, 2023

Date Issued

Tanya Speedie

Hearing Officer, Landlord and Tenants 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	\$18,754.96
Application Filing Fee	\$186.00
NSF Charges	\$0.00
Less the amount the Tenants paid to the Landlord since the application was filed	- \$2,400.00
Less the amount the Tenants paid into the LTB since the application was filed	- \$0.00
Less the amount of the last month's rent deposit	- \$2,150.00
Less the amount of the interest on the last month's rent deposit	- \$64.50
Less the amount the Landlord owes the Tenants for an {abatement/rebate}	- \$0.00
Less the amount of the credit that the Tenants is entitled to	- \$0.00
Total amount owing to the Landlord	\$14,326.46