



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

**Citation:** CRC SELF HELP INC. v Antonia Bassoulous, 2023 ONLTB 35854

**Date:** 2023-05-11

**File Number:** LTB-L-060328-22

**In the matter of:** 11, 498 PAPE AVE TORONTO  
ON M4K3P8

**Between:** CRC SELF HELP INC. Landlord

### **And**

Antonia Bassoulous and Dimos Bassoulous Tenant

CRC SELF HELP INC. (the 'Landlord') applied for an order to terminate the tenancy and evict Antonia Bassoulous and Dimos Bassoulous (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

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

The Landlord's agent, Joy Reid, attended the hearing.

The Tenant also 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 \$813.00. It is due on the 1st day of each month.
4. The Tenant has paid \$5,354.00 to the Landlord since the application was filed.
5. The rent arrears owing to April 30, 2023 are \$0.00.
6. The Landlord collected a rent deposit of \$240.00 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.

7. Interest on the rent deposit, in the amount of \$114.22 is owing to the Tenant for the period from April 28, 2003 to April 26, 2023.

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8. The Landlord incurred costs of \$186.00 for filing the application and they are entitled to reimbursement of those costs.
9. The position of the Tenant is she should not pay the filing fee.
10. The Tenant submitted a convoluted story of how her mail is received at a different location within the same building and said she did not get the Landlord's paperwork notifying her she was in arrears.
11. The position of the Landlord is that the Tenant's address identified in the N4 notice and in the application is the correct rental unit address and the Tenant does get mail there.
12. The Tenant did not dispute she was in arrears when the Landlord filed the application with the Board.
13. The filing fee is a discretionary fee, and given enough reason, the Board may consider waiving the fee on behalf of the Tenant.
14. The Tenants' lack of particulars and specific details regarding why she should not have to pay the filing fee are such that I am not satisfied she has met the burden and in my opinion the Landlord is entitled to the reimbursement of the filing fee.
15. If the Tenant were not in arrears, the Landlord would not have filed the application with the Board. The Tenant created the situation and she should not benefit from it.
16. The Landlord's agent submitted to the Board the Landlord is amenable to extending the order for the filing fee to be paid by the Tenant to May 31, 2023.

**It is ordered that:**

1. The Tenant shall pay to the Landlord \$186.00 for the cost of filing the application.
2. If the Tenant does not pay the Landlord the full amount owing on or before May 31, 2023, the Tenant 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**

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**Greg Brocanier**

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.

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