



Order under Section 69 Residential Tenancies Act, 2006

Citation: Banerjee v Davis, 2023 ONLTB 35917

Date: 2023-05-08

File Number: LTB-L-043582-22

In the matter of: 112 WYCLIFFE CRES
KINGSTON ON K7K6B4

Between: Victor Banerjee Landlord

And

David Leblanc Tenants
Jermain Davis
Joshua Leblanc

Victor Banerjee (the 'Landlord') applied for an order to terminate the tenancy and evict David Leblanc, Jermain Davis and Joshua Leblanc (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was heard by videoconference on March 1, 2023.

The Landlord attended the hearing and was self-represented. The Tenants did not attend the hearing. The Tenants were represented by Lana Reynolds.

Determinations:

1. The Landlord served the Tenants with an invalid Notice to End Tenancy Early for Nonpayment of Rent (N4 Notice). The Landlord sought an order requiring the Tenants to pay the rent the Tenants owe.
2. As of the hearing date, the Tenants were still in possession of the rental unit.
3. The lawful rent is \$1,700.00. It is due on the 1st day of each month.
4. The Tenants had paid \$3,900.00 to the Landlord since the application was filed.
5. The rent arrears owing to March 31, 2023 are \$11,700.00.
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 Tenants shall pay to the Landlord \$11, 886.00. This amount includes rent arrears owing up to March 31, 2023 and the cost of the application.

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2. If the Tenants do not pay the Landlord the full amount owing on or before May 19, 2023, the Tenants will start to owe interest. This will be simple interest calculated from May 20, 2023 at 6.00% annually on the balance outstanding.

May 8, 2023

Date Issued

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.

