



**Order under Section 87(1)
Residential Tenancies Act, 2006**

Citation: Arcot Shivakumar v Erica Alicia Rosenbloom, 2023 ONLTB 35020

Date: 2023-05-08

File Number: LTB-L-061122-22

In the matter of: #4, 56 CAMERON AVE
YORK ON M6M1R2

Between: Arcot Shivakumar Landlords
Nitya Kumaraswamy

And

Erica Alicia Rosenbloom Tenant

Arcot Shivakumar and Nitya Kumaraswamy (the 'Landlords') applied for an order to terminate the tenancy and evict Erica Alicia Rosenbloom (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

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

Only the Landlords Arcot Shivakumar and Nitya Kumaraswamy attended the hearing.

As of 10:26 a.m., the Tenant was 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. Since the Tenant did not attend and the Landlords were prepared to proceed, the matter proceeded by way of an uncontested hearing pursuant to section 7 of the *Statutory Powers Procedure Act*, R.S.O. 1990.

Determinations:

1. At the hearing the Landlords relied on oral submissions and referred to documents to support their application.
2. The Landlords 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.
3. The Tenant was in possession of the rental unit on the date the application was filed.
4. The Tenant vacated the rental unit on October 31, 2022. Rent arrears are calculated up to the date the Tenant vacated the unit.
5. The lawful rent was \$850.00. It was due on the 1st day of each month.
6. The Tenant has not made any payments since the application was filed.
7. The rent arrears owing to October 31, 2022 are \$1,100.00.

8. The Landlords incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
9. There is no last month's rent deposit.

It is ordered that:

1. The tenancy between the Landlords and the Tenant is terminated as of October 31, 2022, the date the Tenant moved out of the rental unit
2. The Tenant shall pay to the Landlords \$1,286.00. This amount includes rent arrears owing up to the date the Tenant moved out of the rental unit and the cost of filing the application. See Schedule 1 for the calculation of the amount owing.
3. If the Tenant does not pay the Landlords the full amount owing on or before May 19, 2023, the Tenant 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

John Cashmore
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 Tenant must pay as the tenancy is terminated

Rent Owing To Move Out Date	\$1,100.00
Application Filing Fee	\$186.00
Total amount owing to the Landlords	\$1,286.00