



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

**Citation:** Chang v Bhayat, 2023 ONLTB 30919

**Date:** 2023-04-18

**File Number:** LTB-L-051713-22

**In the matter of:** 159 NORLAND CIR  
OSHAWA ON L1L0A6

**Between:** Sophia shu hua Chang Landlords  
Ying tai Chang

**And**

Carissa Balkissoon Tenants  
Farhan Bhayat

Sophia shu hua Chang and Ying tai Chang (the 'Landlords') applied for an order to terminate the tenancy and evict Carissa Balkissoon and Farhan Bhayat (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was heard by videoconference on March 29, 2023.

Only the Landlord, Sophia shu hua Chang attended the hearing.

As of 9:34 a.m., 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 Landlords evidence.

**Determinations:**

1. The Landlords served the Tenants with a valid 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 were in possession of the rental unit on the date the application was filed.
3. The Tenants vacated the rental unit on November 3, 2022. Rent arrears are calculated up to the date the Tenants vacated the unit.
4. The lawful rent is \$2,500.00. 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 November 3, 2022 are \$7,746.57.

7. The Landlords 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:**

1. The tenancy between the Landlords and the Tenants is terminated as of November 3, 2022, the date the Tenants moved out of the rental unit
2. The Tenants shall pay to the Landlords \$7,932.57. 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.
3. If the Tenants do not pay the Landlords the full amount owing on or before April 29, 2023, the Tenants will start to owe interest. This will be simple interest calculated from April 30, 2023 at 6.00% annually on the balance outstanding.

**April 18, 2023**

**Date Issued**

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Camille Clyne

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	\$7,746.57
Application Filing Fee	\$186.00
<b>Less</b> the amount the Tenants paid to the Landlords since the application was filed	- \$0.00
<b>Total amount owing to the Landlords</b>	<b>\$7,932.57</b>